

Safety Training for Caseworkers

The Senate bill, but not the House amendment, includes language to permit "personal safety training for caseworkers" as part of the training for which states may use their CAPTA dollars. Personal safety training will help child protective services personnel be prepared when faced with a variety of complex situations and emotions as they confront families with allegations of child abuse and neglect.

The conference agreement includes this provision with no modifications.

Infants Born Addicted to Substances

The House amendment and the Senate bill include provisions to address the needs of infants born and identified as being affected by illegal substance abuse or withdrawal symptoms. The House amendment requires procedures for infants born with fetal alcohol effects, fetal alcohol syndrome, neonatal intoxication or withdrawal syndrome, or neonatal physical or neurological harm resulting from prenatal drug exposure. The Senate bill requires procedures for infants born and identified as being affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure. The House amendment, but not the Senate, requires the notification of child protective services and permits the consideration of providing the mother with additional services, and providing the infant with referral to IDEA, Part C services for evaluation.

The conference agreement follows the Senate bill with a modification. The agreement includes the requirement that health care providers involved in the delivery or care of infants born and identified as being affected by illegal substance abuse or withdrawal symptoms notify child protective services of the occurrence of such condition in such infants.

GAO Study

The Senate bill, but not the House amendment, includes a study to have GAO review and evaluate training (including cross-training in domestic violence and substance abuse) of child protective services workers including the effects of caseloads, compensation and supervision of staff; the efficiencies and effectiveness of agencies that provide cross-training with court personnel; and recommendations to strengthen child protective services effectiveness to improve outcomes for children.

The conference agreement does not include this provision. The House and Senate conferees agree to write a joint letter to GAO to request the study be conducted.

Children's Justice Act

The House amendment, but not the Senate bill, includes language to allow states to handle cases involving children with disabilities or serious health conditions with their children's justice grant funding. Children's justice grants help states improve their child protection programs in investigation and prosecution of child abuse and neglect cases.

The conference agreement includes this provision with no modifications.

IDEA

The House amendment, but not the Senate bill, requires states to have provisions and procedures for referral of a child under the age of 3 who is involved in a substantiated case of child abuse or neglect to the state-wide early intervention program funded under Part C, of the Individuals with Disabilities Education Act for an evaluation of services.

The conference agreement does not include this provision. The conferees agree to provide for a reference to similar provisions for referral of such children in Part C of IDEA.

State CAPTA Reports

The Senate bill, but not the House amendment, requires states to report on the manner in which CAPTA dollars, alone or in combination with other funds, were used to address the purposes and achieve the objectives of Kinship Care. Kinship care is a living situation in which a grandparent, other close relative or someone else who is emotionally close to a child takes primary responsibility for the care of that child.

The conference agreement includes this provision with modifications. The agreement requires states to report on all CAPTA programs, rather than just Kinship Care.

Respite Care

The House amendment, but not the Senate bill, adds respite care, home visiting and family support services to the list of optional core services that a state may provide as a part of family support services under Community-Based Programs within CAPTA.

The conference agreement does not include this provision. However, the conferees want to recognize the importance of respite care and other services as positive, cost-effective, community-based child abuse and neglect prevention programs. As evidence shows, respite and crises care programs are effective prevention strategies associated with avoiding more costly and traumatic out-of-home placements, including foster care. By retaining current law for local program criteria, the conferees have not intended to discourage or limit the ability of the lead entity or local program to provide or arrange for respite care.

*FVPSA**Children Who Witness Domestic Violence*

The Senate bill, but not the House amendment, establishes a new program to address the needs of children who witness domestic violence to provide direct services; training for and collaboration among child welfare agencies, domestic violence victim service providers, courts, law enforcement and other entities, and multi-system interventions. This new program is conditioned upon appropriations exceeding \$150 million. At such time 50 percent of the excess must be used to fund this program.

The conference agreement follows the intent of the Senate bill with modifications. The agreement would not create a new program. The agreement adds services for children who witness domestic violence to the list of allowable activities under the state demonstration grants within FVPSA. It requires that once appropriations exceed \$130 million for the state demonstration grants, that grants include programs of multi-system interventions, training, and services (either directly or by referral) for children who witness domestic violence. The agreement also requires the national resource center to include children who witness domestic violence as part of their research and training services, and adds children who witness domestic violence to the definition of "related assistance."

Domestic Violence Hotline/Internet Enhancement

The Senate bill, but not the House amendment, creates a new five year grant program to establish and operate a highly secure Internet website that links the national domestic violence hotline, U.S. domestic violence shelters, state and local domestic violence agencies, and other domestic violence organizations in order to connect a victim of domestic violence to domestic violence shelters. The website must also contain continuously updated information concerning the availability of services and space in domestic violence shelters across the U.S. This new program is conditioned upon appropriations

for the domestic violence hotline exceeding \$3 million. The Senate bill, but not the House amendment, increases the authorization for the domestic violence hotline from \$2 million to \$4 million. The domestic violence hotline is currently funded at \$2.6 million.

The conference agreement follows the intent of the Senate bill with modifications. The agreement would not create a new program. The agreement requires that once appropriations for the domestic violence hotline exceed \$3 million, grants shall be made for startup and operational costs associated with establishing a highly secure Internet website available to the hotline and to shelters. The website shall serve as a database of information describing the services available to victims of domestic violence, including medical and mental health services, social services, transportation, services for children (including children who witness domestic violence) and other relevant services; domestic violence shelters available; and services provided by participating shelters. The authorization for the domestic violence hotline is \$3.5 million. As a result of recent significant authorization and appropriation increases occurring since the committee's last consideration of this act, the conferees believe an authorization level of \$3.5 million will sustain the services provided as a part of the domestic violence hotline during the current five year authorization without the need for intervening authorization.

From the Committee on Education and the Workforce, for consideration of the Senate bill and the House amendment, and modifications committed to conference:

JOHN BOEHNER,
PETER HOEKSTRA,
JON PORTER,
JAMES GREENWOOD,
CHARLIE NORWOOD,
PHIL GINGREY,
MAX BURNS,
GEORGE MILLER,
RUBÉN HINOJOSA,
SUSAN A. DAVIS,
TIM RYAN,
DANNY K. DAVIS,

Managers on the Part of the House.

JUDD GREGG,
LAMAR ALEXANDER,
MIKE DEWINE,
EDWARD M. KENNEDY,
CHRIS DODD,

Managers on the Part of the Senate.

RELATING TO CONSIDERATION OF SENATE AMENDMENTS TO H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 270 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 270

Resolved, That upon adoption of this resolution the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification, and for other purposes, with the Senate amendments thereto, be, and the same are hereby, taken from the Speaker's table to the ends that the Senate amendment to the title be, and the same is hereby, agreed to, and the Senate amendment to the text be, and the same is hereby, agreed to with the amendment printed in the report of the Committee on Rules accompanying this resolution.

SEC. 2. It shall be in order for the chairman of the Committee on Ways and Means to move that the House insist on its amendment to the Senate amendment to H.R. 1308, or that the House disagree to any further Senate amendment, and request or agree to a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. REYNOLDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 270.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REYNOLDS. Mr. Speaker, House Resolution 270 is a customary rule relating to the consideration of an amendment to the Senate amendments to H.R. 1308, the Tax Relief, Simplification, and Equity Act of 2003. The rule allows the House to proceed with consideration of legislation providing tax relief to millions of American workers and families.

Upon adoption of this resolution, the House will have agreed to the disposition of the Senate amendments.

Mr. Speaker, when I return to my district each week, my constituents tell me they want me to do two things: create jobs and cut taxes. Thanks to the Economic Growth and Tax Relief Act and the Jobs Growth Tax Relief Act, Congress is doing just that, and taxpayers in my district and all across America now have greater control over more of their hard-earned dollars, providing greater incentive for savings and investment and expanding job opportunities.

Today's legislation is another important step in our ongoing efforts to create greater fairness in the Tax Code for working families. In fact, upon adoption, it will be retitled the All-American Tax Relief Act in recognition of the fact that it puts even more money back into the hands of more Americans.

Mr. Speaker, much of what we are debating today we have debated and supported before. Many of the important measures in H.R. 1308 have passed this body or the other body over the last few years. For instance, the House passed its version of H.R. 1308 by voice vote under suspension in March of this year.

Last week the Senate took up H.R. 1308 with revised and added provisions, including an accelerated increase in the refundability of the child tax credit currently scheduled to take place in 2005.

□ 1530

While the House language contains the same provision, it has the added benefit of ensuring that the child tax credit remains at \$1,000 through 2010, unlike the Senate amendment that offers only the \$1,000 tax credit during taxable years 2003 and 2004. Simply put, the House language provides more and longer-lasting benefits for families at all income levels. And it does not take it away in just a couple of years.

This bill will eliminate the marriage penalty and the child tax credit even sooner, by raising the phaseout for married couples from \$110,000 to \$150,000. This is a fundamental issue of fairness. Working men and women should not face a higher tax burden simply because they choose to get married and raise a family.

The House bill is more responsive to more Americans than the other body's version in other ways. It honors the men and women of our Armed Forces with over \$800 million in tax relief over 11 years. This includes capital gains tax relief on home sales, tax-free death gratuity payments, and tax-free dependent care assistance for members of the military. Our men and women in uniform protect our country and ensure our security every day and deserve sensible tax relief for their hard work and sacrifice.

Also, the bill will suspend the tax-exempt status of terrorist organizations, a provision that passed both the House and the other body in 2002. In short, Mr. Speaker, this bill will achieve even greater parity and fairness in the Tax Code. That is something I know my constituents and working Americans all over the country want, need, and deserve.

Mr. Speaker, I expect that in the course of this debate, we will hear a great deal about procedural terminology, but this vote is actually quite simple. A "yes" vote means greater fairness in the Tax Code and more tax relief for American workers, families, and children. A "no" vote stops that relief from moving forward and hurts the very people I know many of my colleagues eagerly want to assist.

I urge my colleagues to join me in voting "yes" on the resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FROST asked and was given permission to revise and extend his remarks.)

Mr. FROST. Mr. Speaker, while this bill purports to give low-income people a tax break, it also gives Members of Congress a tax break. We see that there is an additional tax break for people who earn \$150,000 a year. Who earns \$150,000 a year? Members of the United States Congress. It is very generous of them in the majority to do that.

Mr. Speaker, let us be clear about what is at stake on the House floor today. At the conclusion of this debate, there will be an important procedural

vote known as the previous question. If we defeat it, then the child tax credit bill and the Armed Forces tax assistance bill can become law tomorrow, and military and working families will get immediate relief. Those two bills are here, at the Speaker's table, already passed by the Senate and ready to be signed by the President, but only if Republicans will stand up to their leadership. On the other hand, if Republicans vote for the previous question, then those bills will not become law anytime soon, if at all, and millions of military and working families will not receive immediate tax relief.

To quote President Kennedy: "To govern is to choose." When Republicans vote on the previous question today, Americans will know whether they choose tax relief for working and military families or party loyalty to the House Republican leadership that is blocking it.

Mr. Speaker, since George W. Bush took office, Republicans have successfully enacted their economic plan. It consists of not just one, but two budget-busting tax giveaways for the richest few. I call these bills part I and part II of the Bush Pioneers Enrichment Act because they shower expensive tax breaks on the wealthiest few, people like that small, elite group of rich Bush Pioneers who funded the 2000 Bush campaign.

But where is the country after these Republican tax giveaways? Some 3 million Americans have lost their jobs. And just today the nonpartisan Congressional Budget Office increased this year's deficit projection to \$400 billion, the largest single-year deficit in this Nation's history. All in all, Americans are still suffering from the second Bush recession and the third Republican recession in the last 20 years. So I suspect that we will hear a lot of clever Republican rhetoric today. We will hear them swear that this latest Republican tax bill will finally boost the economy. They will claim that they are simply trying to improve on the bipartisan bill which the Senate passed overwhelmingly last week. But as John Adams once said, Mr. Speaker, facts are stubborn things. Even poll-tested Republican rhetoric cannot change those facts.

And the facts today are straightforward. House Republicans are the sole remaining obstacle to immediate tax relief for millions of working and military families who pay taxes. Unless House Republicans stand up to the Republican leadership today, then the families of 12 million children, 1 million of whom live in military families, will not get the immediate tax relief they need and they deserve.

Here is why, Mr. Speaker. When Republicans wrote part II of the Pioneers Enrichment Act last month, they denied the child tax credit to these hard-working, tax-paying families. The reason was simple: so that they could spend even more on tax breaks for the wealthiest few. As a result, millionaires got a tax break of \$93,500, which

is just shy of the \$100,000 in campaign contributions necessary to qualify as a Bush Pioneer, while millions of military and working families got stiffed. Republicans gave \$100,000 in tax breaks to those making \$1 million a year, but they call it welfare when Democrats try to give \$150 in tax relief to the military families who need it most to feed and clothe their children. This is shameful, Mr. Speaker. And if Republicans are not ashamed, then I am ashamed for them.

Fortunately, the Senate has overwhelmingly passed a bipartisan, fiscally responsible bill to fix this one especially shameful feature of the Bush Pioneers Enrichment Act. And the White House says the President wants to sign it immediately. But many Republicans do not believe these working and military families deserve immediate tax relief, despite the fact that they work hard and pay taxes. So the Republican leadership is using their power to stop the full House from voting on the bipartisan Senate-passed bill which could become law tomorrow.

Specifically, they have brought up their plan as a motion to concur in the Senate amendments with a House amendment, a very boring title. In plain English, that means they are using a parliamentary maneuver to rig the rules to prevent Democrats from offering an alternative, or the motion to recommit that is guaranteed in the House rules. The Republican leadership's rule is so restrictive that it does not allow the House any general debate on the Republicans' \$82 billion tax plan. But make no mistake, the Republican leadership's actions on the House floor today will have a very real consequence.

Simply put, they are holding hostage immediate tax relief for 6.5 million working families. They are using this bill to give high-income families a new tax break that is worth nearly six times as much as the tax credit for low-income families. They are taking a \$3.5 billion problem that they created and they are using it to spend \$82 billion of the Social Security trust fund to drive America even deeper into debt, raising the debt tax on all Americans. All of this, Mr. Speaker, means that this spendthrift House Republican plan will not pass the Senate and everybody knows it. Let me say that again. What we are voting on today will not pass the Senate and everyone knows it. So this is a meaningless gesture that will simply delay for days and weeks and maybe even months the tax relief that the Republicans claim that they want to offer to working families. If the Republican leadership wins today, then millions of working and military families will lose because they will not get the immediate tax relief that they desperately need.

As a result, there is just one question on the floor today: Do you want to give to military and working families at least a fraction of the tax cuts that Republicans have given the millionaires,

the Bush Pioneers and others of the wealthy? If the answer is "no," then proudly explain why these hard-working, tax-paying families do not deserve tax relief. But if the answer is "yes," then there is only one way to do it. Stand up to the House Republican leadership and vote against the previous question. If we defeat the previous question, then I will offer an amendment to the rule to allow the House to pass both the bipartisan child tax credit bill and the Armed Forces tax fairness bill, both of which are here at the Speaker's table and both of which have already passed the Senate.

As I said before, Mr. Speaker, those are the facts; and that is the choice House Republicans face today.

Mr. Speaker, I reserve the balance of my time.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

In listening to the ranking member's remarks, I would first say, to my recollection of the law, no Member of Congress would be eligible for this program. Number two, I want at least the voters of my district and the people of New York to know that while we have listened to class warfare and tax cuts, I know those New Yorkers that make \$100,000 in their income, or even as much as \$150,000, if you are a fireman or you are a cop, you are a teacher, you are a salesman and work in a store, I know you are not rich. I know you are middle America. And I know that as we look at fair tax relief, it is not just helping the poor or the class warfare message of the rich. We are trying to make sure we take care of the middle class, and we know that \$150,000 combined income could be a middle-class income.

Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, it is always interesting to hear the rhetoric of some of my friends on the other side of the aisle. Let me tell you something. Here is the news. The All-American Tax Relief Act provides immediate tax relief for working families and for our military. Immediate tax relief. It does it in a number of ways. A tremendous benefit to working and military families. In fact, not only do we recognize that we increase the child tax credit in the legislation the President signed a few weeks ago from \$500 to \$1,000 but we extend that through the end of the decade. Our friends on the other side of the aisle would like to see it sunset in a couple of years and drop back to \$700.

I would also note that we eliminate the marriage tax penalty in the child tax credit. One of the great successes of the Republican majority is we have targeted and worked to eliminate the marriage tax penalty; but in the child tax credit, it still exists. If you make \$75,000 as a single person, you can claim the full child tax credit. But you can only claim the full child tax credit as a married couple if you make up to \$110,000. That is not right. Those who

are joint filers, men and women who happen to be married who are both in the workforce, if you want to eliminate the marriage tax penalty and treat them equally and fairly, you should allow a married couple to earn twice as much as a single and still be able to qualify for that credit without being punished for being married. That is why we raise the eligibility level to \$150,000. It is a single 75, and then we double it for a married couple to 150. That is policeman and a teacher in the south suburbs of Chicago. Some would say they do not deserve that child tax credit, but they have earned it and we, of course, want to assure that we will bring fairness by eliminating the marriage tax penalty.

We also accelerate the increase in the refundable tax credit, a point that my Democratic friends say we need to do. What they omit is it is already law. All this legislation does is move it up to this year. That acceleration for low-income families was to be phased in over the next couple of years. We make it effective immediately, this year. Not only do we accelerate the increase in the refundable child tax credit but we bring up an issue which is so important. Remember the men and women who went to Iraq? Remember those men and women who fought so valiantly and liberated the 28 million people who were oppressed under Saddam Hussein? This House passed tax relief specifically targeted to help them. Unfortunately, that has yet to become law. We on the Republican side of the aisle feel it is time to take care of those military men and women who fought in Iraq and that is why we combine this child tax credit with the legislation which provides tax relief and enhances tax fairness for members of our United States Armed Forces.

Ladies and gentlemen, this is legislation that deserves bipartisan support. I ask for that kind of vote.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. TAYLOR), one of the most conservative Members on the Democratic side.

Mr. TAYLOR of Mississippi. Mr. Speaker, I cannot begin to say how hypocritical I think it is that a bill that purports to be for tax relief for children would burden our children with \$80 billion worth of new debt to solve a \$3 billion problem. There is a lot of inconsistency and, of course, there is a much stronger word than that.

On March 17, 1994, I believe it was right there, then-Member Hastert stood on this floor and said clearly, "Until our monstrous \$4.3 trillion Federal debt is eliminated, interest payments will continue to eat away at the important initiatives which the government must fund."

□ 1545

I will not stand by and watch Congress recklessly squander the future of our children and grandchildren." That was Speaker HASTERT.

The same day he said, "In light of Congress' exhibited inability to control spending and vote for fiscal responsibility, it is imperative that we have a balanced budget amendment to compel Congress to end its siege on our financial future."

The Speaker has now been Speaker for 1,622 days and has yet to have scheduled a vote on a balanced budget amendment. But I can tell you what happened in the 2 years and 3 weeks since the passage of the Bush budget spending increases and the Bush budget deficit decreases. We are now \$914 billion dollars deeper in debt.

Mr. STENHOLM. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Mississippi. I yield to the gentleman from Texas.

Mr. STENHOLM. Under House rules, I would like to have our colleagues help us. How much debt did the gentleman say we have accumulated since the budget first passed on May 9? Is it \$914?

Mr. TAYLOR of Mississippi. Mr. Speaker, reclaiming my time, no, under Speaker HASTERT's tutelage for the past 2 years, we have added not \$914 dollars of debt. In fact, under the rules of the House, I am going to ask my colleagues to step to their right, because we are going to need four more of our colleagues to come forward.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman will suspend.

The Chair notices that we have a number of Members entering the well. The Chair has responsibility under clause 2 of rule I to preserve proper decorum in the proceedings of the House, and the Chair is constrained to distinguish between an exhibit, which a Member may employ for the edification of his colleagues, and an exhibition.

Although a Member may supplement ordinary oratory with a visual aid, he may not stage an exhibition, nor should other Members traffic the well.

PARLIAMENTARY INQUIRIES

Mr. FROST. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FROST. Mr. Speaker, what rule are you stating?

The SPEAKER pro tempore. Clause 2 of rule I.

Mr. FROST. Mr. Speaker, would the Chair be kind enough to read the provision, because I have never heard of this ruling given from the Chair before. I would be very grateful if the Chair could read it to the House.

The SPEAKER pro tempore. To the knowledge of the Chair, we have not had an exhibition such as this before.

Mr. FROST. Do we have the rules book handy?

The SPEAKER pro tempore. The relevant provision is, "The Speaker shall preserve order and decorum and, in the case of disturbance or disorderly conduct in the galleries or in the lobby, may cause the same to be cleared."

The Chair has ruled that while an exhibit is quite acceptable, an exhibition such as being conducted at the current time is in violation of the rules, in the opinion of the Chair.

Mr. TAYLOR of Mississippi. Mr. Speaker, I have a parliamentary inquiry.

Mr. FROST. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentlemen will suspend.

The Chair also would observe that while one Member is addressing the House, other Members should not traffic the well, as is happening.

Mr. FROST. Mr. Speaker, I just want to be clear. So what the gentleman is saying is the Members who are standing in the well right now—

The SPEAKER pro tempore. Who are trafficking the well.

Mr. FROST. The ones who are in the well with 914878724867, they are out of order for advising the country what the size of the debt is?

The SPEAKER pro tempore. In the opinion of the Chair, it has a tendency to impair the decorum of the House.

Mr. HOYER. Mr. Speaker, I have a parliamentary observation.

The SPEAKER pro tempore. Does the gentleman from Mississippi (Mr. TAYLOR) yield for a parliamentary inquiry?

Mr. TAYLOR of Mississippi. Well, you have not recognized me for mine, so I might as well.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, I would make a parliamentary observation. If we keep raising the debt as fast as we are raising it—

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

Mr. HOYER. Well, I am, because it will be a moot point, because there will not be enough room in the Chamber to make the display.

Mr. FROST. Mr. Speaker, further parliamentary inquiry. I have to ask, because I am a little confused, I will not refer directly to the Members at this point, but I am confused, Mr. Speaker, because the rule, I have my rule book, it says, "The Speaker shall preserve order and decorum, and in the case of disturbances or disorderly conduct in the galleries or in the lobby, may cause the same to be cleared."

This seems to relate to decorum in the galleries or in the lobby. I do not read the rule to relate to matters on the floor of the House.

The SPEAKER pro tempore. Clause 2 of rule I applies to the proceedings of the House.

Mr. TAYLOR of Mississippi. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TAYLOR of Mississippi. Mr. Speaker, if an elected Representative of the people of the United States, who represents about 700,000 American citi-

zens, wishes to make his colleagues aware of the growth of the national debt in just 2 years and 2 weeks, without creating—

The SPEAKER pro tempore. Is the gentleman stating a parliamentary inquiry or engaging in debate? The Chair is open to parliamentary inquiry.

Mr. TAYLOR of Mississippi. I am continuing, sir.

The SPEAKER pro tempore. Proceed.

Mr. TAYLOR of Mississippi. And if 16 of his colleagues, also elected, wished to make the Chair aware, in a very orderly manner, and to make our colleagues aware of the growth of the debt in a very orderly manner, I would like you to cite which section of the House rules, which, by the way you waive on a daily basis at your discretion, are being violated?

The SPEAKER pro tempore. The Chair would state that a Member may use an exhibit when that Member is under recognition, but other Members, who are not under recognition, may not separately display exhibits.

The Chair at this point would ask that the Members clear the well.

Mr. TAYLOR of Mississippi. Mr. Speaker, I wish to continue at this time. How much time do I have remaining, sir?

The SPEAKER pro tempore. The gentleman from Mississippi has 45 seconds remaining.

Mr. TAYLOR of Mississippi. Mr. Speaker, I would like to speak with deep regret at the continued efforts of the majority to hide from the American people the true nature of the deficit that they have employed; that they have increased more debt in 2 years than in the first 200 years of our Nation. Their answer to that debt is \$80 billion of more debt.

I do not think you should dare call yourself fiscal conservatives. I think what you should call yourself are the seeds of destruction for the greatest Nation this world has ever known.

Mr. REYNOLDS. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, following that fascinating display, I would like to rise and indicate that as the economic downturn began during the last 2 quarters of 2000, we worked very hard to ensure that we could put into place policies that will encourage economic growth that will once again get us back on the path of a balanced budget.

Now, we all know that the challenges with which we have had to deal stem from not only the economic downturn that began during the last 2 quarters of the year 2000, but also September 11, the war with Iraq, and I am proud that we were able to stand together in a bipartisan way, Democrats and Republicans, to stand up to the threat of international terrorism and the repression that Saddam Hussein was imposing.

Mr. KINGSTON. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to my dear friend, the gentleman from Georgia, a member of the Committee on Appropriations.

Mr. KINGSTON. Mr. Speaker, is it not true that the Democrats did not pass a budget last year, and during the period of time after 9/11 when we were trying to fund the troops and the war on terrorism, homeland and internationally, that the Democrats on the Committee on Appropriations, bill after bill, insisted on more spending, and in fact offered amendments on every appropriations subcommittee to increase spending; and now they are coming out here as fiscal conservatives. It seems there is a little tap dance going on that is difficult to follow.

Mr. DREIER. Mr. Speaker, reclaiming my time, it is fascinating. I know when the gentleman from Texas (Mr. FROST) yielded to the gentleman from Mississippi (Mr. TAYLOR) he talked about the fact that he is one of the most conservative Democrats in the House. But clearly if you look at the pattern that we have gone through for decades and decades, it clearly has not been Democrats who have stood forward as the great champions of fiscal responsibility. It is wonderful to see them join us now as we work towards encouraging economic growth so that we can get back onto this course of balancing the budget.

I would like to take just a few moments, if I might, Mr. Speaker, to talk about some substantive issues here.

My friend the gentleman from Dallas (Mr. FROST), the ranking minority member of our Committee on Rules, has talked about the fact that he knows exactly what the other body is going to do. I do not. I do not know what the Senate is going to do.

But I do know this: We passed \$726 billion in tax cuts with the budget that we put into place, and we know that action was taken over in the other body that imposed a limit of \$350 billion. But I think it is wrong for the United States House of Representatives, the people's House, the one that has every Representative here on behalf of the between 600,000 and 700,000 Americans, simply kowtow to action over there.

I think we have a responsibility to do everything that we can to take action, and let me say that I believe we need to do everything that we can to stand up for what it was that we did in our budget, to try and ensure that the American people can keep more of their own hard-earned dollars and to put into place tax policies which will encourage economic growth. That is exactly what we are doing here today.

Now, we heard in our Committee on Rules yesterday and we have heard here on the floor that somehow the President of the United States has made a determination as to exactly what he wants to do.

I have here, Mr. Speaker, a copy of the Statement of Administration Policy. That is the statement of the President of the United States. Contrary to some of the arguments put forward by my Democratic colleagues, this is what the statement of administration policy says:

"The Administration supports passage of H.R. 1308, the All-American Tax Relief Act of 2003, and urges the House and Senate to quickly resolve their differences."

The administration understands the bicameral process that takes place here. For some reason, our colleagues on the other side of the aisle want to just buckle under, and not realize that we can do even better than what was done in the other body.

That is what we are striving to do. We are striving to get this economy growing. We have already seen very positive signs from what has taken place with passage of the Jobs and Growth Act. We have seen positive signs with the Dow above 9200. That has taken place since we have passed this legislation.

We have indicators out there that we can get this thing growing to the point where we will be able to generate the revenue that we need to deal with the very important prescription drug program, which we are working on right now as part of Medicare reform, education priorities, transportation issues which we were addressing earlier.

This measure today is a very important part of that, and, Mr. Speaker, I urge my colleagues to support this package.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT), one of our very respected new members.

Mr. SCOTT of Georgia. Mr. Speaker, I am one of the few Democrats that joined my colleagues on the other side to vote for the President's tax cut on the last time, largely because my voters in Georgia felt it would be good for them if we were able to get some badly needed dollars back to our State.

But this is a different story, and I think we ought to recognize why the American people have us here in the first place at this time.

□ 1600

It is not to come back for another tax cut. It is to address an omission, a very serious omission from the first tax cut, and that is to correct that by bringing a clean, crisp bill that pointedly addresses bringing the child tax credit to those working families at the lower-income levels. That is what we are about to do here. I think it is a sham.

Unfortunately, I think it is disrespectful for our Republican friends to do this, and they know full well that what they are doing with this measure is nothing but to delay and certainly, quite possibly, kill any tax credit. That is why I come and urge all of my colleagues to vote against this rule. Let

us follow President Bush's lead. Let us get a clean-cut bill, and let us pass it so that he can sign it this weekend and give the Nation's families and poor people an opportunity to have an outstanding Father's Day gift.

I come down here as one of the few Democrats who voted for the President's tax cut because it was a good plan for my Georgia constituents, but it has one problem. It did not provide child tax credits for many working families.

Fortunately, this is an easy problem to fix. The Senate overwhelmingly passed a clean child tax credit which the President has said that he would sign into law. If we passed the Senate child tax credit, it could be on the President's desk before this weekend. President Bush is right about this. He's asked us to pass the Senate Bill with just the 10 billion for the child tax credit for lower income families, so we can get the checks in the mail immediately. By next month at the same time higher income Americans get theirs.

The Republican measure now before us will not do that. It will only guarantee that working families would not get child tax credits anytime soon if at all. By tying on the 82 billion additional tax cuts we would guarantee that the Senate would reject the bill. This is a sham.

Let's vote against this rule so that we can get a clean child tax credit before us today. You would then have my vote and an overwhelming majority of the House and a certain signature by President Bush.

I stand with President Bush on this. Let's stand together and do the right thing, pass a clean child tax credit and help working families immediately. Get it to President Bush so he can sign it, give our nation's working families in lower brackets the relief they need and a wonderful Father's Day gift this weekend.

Let's treat the lower income working families with the respect they deserve. Give them the tax credit immediately—now.

Mr. REYNOLDS. Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding me this time.

I want to say, first of all, this door is wide open on the Republican side of the House. If the Democrats want to join us in holding the line on appropriations spending, we welcome you. If you want to join us in cracking down on waste, fraud, and abuse in government, we welcome you. If you want to join us in eliminating some duplication in government programs, we welcome you. And I hope that the Blue Dogs will work with us and anybody else over there who will.

On this issue, which is one of expanding welfare, we are trying to work with you. You know you voted against welfare reform, and you know it worked. There were 14 million people on welfare when we passed welfare reform. President Clinton signed it. So we can claim bipartisanship, even though the majority of the House Democrats voted against it. Welfare reform has been a success. Nine million people are not on welfare that used to be on welfare.

Now we still have 5 million; that is too many people. It may be your way

of giving them an additional benefit, and maybe this is a good idea. It is not a tax rebate because you do not get a rebate on a tax that you do not pay. I know a lot of my colleagues will say, well, they do pay sales tax and so forth; that is true, but that is disingenuous on your part. As my colleagues know, we are talking about income taxes, and those folks do not pay income taxes.

Now, that being the case, and I will yield to my friend from Texas; that being the case, let me say this. There is a guy out there, as the gentleman from Illinois (Mr. WELLER) said, he is a policeman, his wife is a teacher. He shops at Wal-Mart for Christmas. He goes to Home Depot on Saturdays to pick up a hammer and some two-by-fours to do a little home repair. When his car needs tires, he goes out and gets three different quotes for them. He owes on his house. He owes on one of his cars. The other car is paid for because it is 8 years old. He scrimps, he saves to get his kids into college. His son goes off to war. They are the first in standing up for the country.

It is very difficult for that guy to get any tax credit because he falls through the cracks in this country. The combined income is \$125,000. This gives him eligibility for that \$1,000 tax credit. And I am a believer that the more money we put in his pocket, the more money he is going to spend on the economy. When he spends, small businesses expand. When they expand, more jobs are created, more jobs are created, and less people are on public assistance, more people go to work, more people are paying into the system rather than taking out of it. I believe that tax reductions actually increase revenues. They are good for jobs; they are good for the economy. That is why I am going to support this.

Mr. STENHOLM. Mr. Speaker, will the gentleman yield?

Mr. KINGSTON. Mr. Speaker, if I have time remaining for my friend, the gentleman from Texas (Mr. STENHOLM), I yield.

Mr. STENHOLM. Mr. Speaker, you look at this chart, the bill we have before us today; this is the problem you are fixing. This is the interest.

The SPEAKER pro tempore (Mr. GILLMOR). The time of the gentleman from Georgia (Mr. KINGSTON) has expired.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, as the majority leader said just the other day, "Well, well, well."

Mr. Speaker, the majority does not want to be here today. They do not want to talk about the child tax credit. They wanted this whole issue to simply disappear. To many on the other side, as we have already heard, the child tax credit is just another form of welfare. If it were up to them, they would be cutting Ken Lay's taxes, again, instead of giving a soldier in Iraq who makes only \$16,000 a year a small tax credit.

But we on this side of the aisle and the American people refuse to let this issue go. And I do not know whether it is shame or exasperation, but the other side has finally agreed to discuss the child tax credit. Well, sort of.

The sensible, responsible thing to do would be to bring up and pass a very good bill that passed the Senate last week by a bipartisan vote of 94 to 2, a bill that is fully paid for with offsets. But the Republican leadership rarely misses the opportunity to be insensible and irresponsible. That leadership knows very well that the Senate-passed bill would become law in a snap, because Members on both sides of the aisle would vote for it, and even the President supports it.

Instead, the majority leader and the gentleman from California (Mr. THOMAS) have brought us a bill that costs \$82 billion. And, get this: there are no offsets. It is not paid for. The Republican leadership simply wants to saddle our children and our grandchildren with ever-increasing debt. How do they justify that?

If this bill stands as it is, it will help bankrupt our children, including the 12 million low- and moderate-income children the Republicans first ignored by deleting the child tax credit from the last tax bill. They are so ashamed of their strategy that not one Republican came to the Committee on Rules to testify on behalf of this \$82 billion bill. Not one Republican.

They refuse to allow us to vote on the Senate-passed bill, a bill that passed 94 to 2. This process is undemocratic, it is irresponsible, it is outrageous; and it ought to be stopped.

Mr. Speaker, I urge my Republican colleagues to put a stop to this. Do the right thing. Do the right thing. Let us vote on a sensible, bipartisan child tax credit. Vote "no" on the previous question.

Mr. REYNOLDS. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BACHUS), my friend.

Mr. BACHUS. Mr. Speaker, whatever we do here today, let us be honest with the American people. Now, the gentleman from Massachusetts kept talking about the child tax credit. It is not a tax refund; it is not a tax credit. If we are going to do it, let us call it what it is, and it is welfare.

When you get back money you have paid in, when we give the American people money they have paid in, that is a tax refund. That is a tax credit. When we take money away from some American taxpayers and we give it to someone else, that is not a tax credit. That is not a refund. That is welfare. And that is what you have proposed to do. If an American pays in \$1,500 and we give them back \$4,000, that \$2,500 is not a refund; it is not a credit. It is someone else's money. And if we want to turn our Tax Code into a welfare system, let us be honest with the American people that that is what we are doing. That is what we are doing.

Why represent this as a credit? Where is the credit? You pay in \$1,500,

you get back \$3,000; \$1,500 is a credit, but the other \$1,500 is someone else's money.

Today, of 100 American families, 50 of them paid 96.1 percent of the taxes before the last tax cut, and in the last tax cut, we gave Americans back their own money. And what the Democrats have proposed is taking Americans' money, your money, America, and we are giving it to someone else, and that is not a tax credit. That is welfare. Let us be honest with the American people. We are turning our Tax Code into a welfare system. And if we want to do that, let us call it what it is. Let us have a little truth in labeling. We are requiring 86 percent of the American people to pay their tax dollars to someone else, and that is welfare.

Mr. FROST. Mr. Speaker, I do not have any additional time, but I wish I had time to question the last speaker.

Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SPRATT).

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, in 1 minute I want to tell you why this bill, compared to the Senate bill, taxes could be raised, could be raised on enlisted men and women serving in Iraq by as much as \$1,000 per child. It is a fact, a shocking fact about this bill.

Let us take an E6, a sergeant, making \$29,000. You have to make more than \$10,500 in order to qualify for the child tax credit. That leaves him if he is state-side \$18,500 times the 15 percent, two child tax credits for his two children.

But let us assume now he goes to Iraq and let us assume he stays 8 months. That means \$18,500 of his income, because he is in a combat zone, will not be subject to taxation. It is not taxable income. Therefore, his taxable income is only \$9,500. What happens? By going to Iraq, by serving his country for 8 months in a combat zone, his family loses both of the child tax credits.

This is not necessary. The Senate bill worked it out. It was deliberately deleted from the Senate bill, for what reasons I would certainly like the other side to explain.

Let me tell my colleagues one other thing. At this desk is a military tax fairness bill passed by the other body. If we really want to do something for the military, call it up. Because in every respect, the bill at the desk is more liberal, more beneficial to our service men and women. I hope you will answer the charges I have just made, rather than supporting the provisions included in this bill. This is an outrage.

Mr. REYNOLDS. Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, to hear the Republicans tell it, you might think that they were bringing this bill

to the floor to extend the child tax credit to the families of 12 million children. One might think that they believe that 6.5 million families, including more than 200,000 military families, deserve the child tax credit.

Where were they when they stole, when the Republicans stole the child tax credit in the dead of night from these hard-working families? For that matter, where were they when I offered an amendment back in March in the Committee on the Budget to extend this credit to those families and they all voted "no," families who earn between \$10,500 and \$26,625. Yes, they pay taxes: payroll taxes, sales taxes, property taxes, excise taxes. Where was the compassion from my Republican colleagues when these families needed them? It was the Republican majority leader not 2 days ago who said he had more important things to do.

I will tell my colleagues where that compassion was. It was with Enron and all of the corporations who avoid paying taxes by relocating overseas and taking American jobs with them. You want to talk about welfare? That is welfare on a grand scale. Enron paid no taxes the last 4 out of 5 years, a disgrace; and they just ate away and took away people's pensions, and nobody in this House on the other side of the aisle is willing to do anything about that.

Now the Republicans hold hostage responsible legislation, overwhelmingly passed in the other body 94 to 2. And why? Because they want to use these families as a bargaining chip in their endless, endless quest to cut taxes for only the wealthiest Americans, driving our country deeper and deeper in debt.

Let us consider the other body's legislation. The White House wants to do it. Today the Republicans bring to the floor this irresponsible \$82 billion bill. It is cynical, and it is designed to fail in the other body and to prevent these families from receiving the tax relief that they need. And to see more cynicism about this, most families are going to receive their tax credit on July 1.

Mr. Speaker, these families, these families, military families as well, have got to claim the tax credit next April. They cannot get it now when everyone else is going to. They do not deserve this. They are hard-working. They pay taxes. Let us give them a chance. Pass an honest child tax credit bill.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Sometimes we get lost here a little bit about the result of the 2003 tax cuts. In 2003, 91 million taxpayers will receive on average a tax cut of \$1,126 under the Jobs and Growth Act of 2003. Sixty-eight million women will see their taxes decline on average by \$1,338. Forty-five million married couples will receive an average tax cut of \$1,786. Thirty-four million families with children will benefit from an average tax cut of \$1,549, and 6 million single

women with children will receive an average tax cut of \$558. Twelve million elderly taxpayers will receive an average tax cut of \$1,401. Twenty-three million small business owners will receive tax cuts averaging \$2,209, and 3 million individuals and families will have their income tax liability completely eliminated by this act.

□ 1615

Now, today, we are going to do even more, because unlike some of the debate here, let us not kid ourselves, the other body sent a bill that does something for us from now until next election. That is 2004. That is when the child tax credit ends.

This bill today, when we vote it up or down, it is going to go to 2010. A \$1,000 child tax credit is scheduled to sunset in 2005. It will gradually increase back to \$1,000 in 2010. In this bill, it puts it up right up front, now to 2010, a \$1,000 tax credit. It eliminates the marriage penalty on the child credit. It accelerates the increase to the refundable child credit. It provides tax relief and enhances tax fairness for members of the Armed Forces. It suspends the tax-exempt status of designated terrorist organizations. It provides tax relief for astronauts who die in space missions.

We are getting the job done, Mr. Speaker. America knows it.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL), the distinguished ranking member.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, we should thank the heavens that we have got such an honest person like the gentleman from Texas (Mr. DELAY). They do not make people like that anymore.

The gentleman from Georgia who spoke so eloquently about the welfare bill that we are talking about today, and those who made these nasty, disparaging remarks and left the floor, this is honesty. This is the United States of America.

I wondered why, why would these good people, albeit Republicans, why would they drop a provision that only costs \$3.5 billion that would help 12 million kids and 6.5 million working families? It is because in their minds if one is not an investor, one is on welfare.

Do we get where they are finally coming from? Have Members listened to the debate? They said refundable tax credits. That is not a tax credit. You can work every day, you can pay Social Security taxes, you can pay Medicare, you can raise your family, you can join the Army, you can fight in Iraq. But guess what, look into the Republican book and see how you are listed. As a hardworking American, as a mother and father concerned about their children, someone struggling every day to make ends meet, to pay the rent, to pay the mortgage, to pay the tuition? No. Look under welfare.

Then, of course, if we really want to find out who they think deserves tax relief, look at the hardworking people who get their dividends every day while they are at the clubhouse. Look at those that clip the coupons. These are the people, as they would say, who pay taxes; and they are the ones who get relief.

But when they said that they will never, never, never give welfare to these families, the President of the United States said, enough is enough. We got a bipartisan agreement. True, it is \$10 billion. Swallow it, go home. But they said, no, no. No welfare.

Let us give them an offer that they have to refuse. For \$3.5 billion, they are asking this hardworking family to pay back, for this, \$82 billion. I do not know how this would work, whether the family gets \$100 a year. But I do know one thing, that this deficit that they keep building on day after day, month after month, and the gentleman from Texas (Mr. DELAY) said they will be coming back, but each time they borrow money to give tax cuts to the coupon-clippers and those who get the dividends, they are asking the kids and the grandkids that we are trying to help today to pay for it. But \$82 billion for \$3.5 billion? That is so shameful.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman and I were not here when some of the tax-and-spend left kept spending us through an oblivion of deficits. We were here after 9-11 when we faced terrible tragedy in our country which has caused us to address the war on terrorism, to rebuild our cities, to address some of the complications of an economy that has slowed down.

I do not mind that the debate that America hears is whether we have a bigger central government that spends more of their money on programs that the government figures out; or whether the economy began moving because middle America and the poor of America had more money in their pockets to make their decisions what they wanted to do with that money, whether they wanted to pay off a consumer loan, whether they wanted to pay tuition, whether they wanted to use it just to help have some opportunity for their child, their mother, or father.

The decision that voters are going to make down the road is whether they want a smaller government that allows people to make more decisions on their hard-earned money, money out of their pocket; or whether they need more money in the downtown central government in Washington, D.C., or some government bureaucrat trying to figure out some way to help them out.

I am going to tell the Members, we have started on a tax cut. I read earlier the millions of Americans who are going to benefit across the board. We are now in a situation where we are going to watch.

Some of my colleagues on the other side of the aisle had every nay and say

about what is going to happen with the economy. I do not know, they do not know. But by 2004, in that fourth quarter, we are going to find out whether the economy of consumer goods began moving, confidence of investors began moving, and whether America started to see a resolve from a terrible tragedy of 9-11; to see, as the gentleman from California (Chairman DREIER) said, in the third and fourth quarters of 2000 when it slowed down, if it moved.

If it does move, there are going to be more Republicans on this side of the aisle; if it does not, maybe there will be a little less. But the conviction of the majority is, people have an opportunity and a right to have more money in their pockets for them to decide how to spend it, not Washington.

The only proven way to restrict government spending is to reduce revenues. Tightening the purse strings but providing much-needed tax relief is the only way to get money back in the hands of hardworking Americans and out of Washington.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, the rubber-stamp Congress is in session. Last night, they came up to the Committee on Rules. Nobody even bothered to come up and talk about the bill. They had an order from the President. Ari Fleischer said, the President says, pass it so he can sign it. So they had the little meeting up there and rifled it down here, with no hearings in the Committee on Ways and Means, not one single minute of debate in a hearing where we could listen to anybody give any opinion about what this bill does. But all of them came with their rubber stamps.

Let me tell the Members, if they go for what they put out there, the chairman has put out there, the President is going to be real mad, because the President does not like that bill. He likes the one that the Senate passed. So hold rubber stamps on the one for the gentleman from California (Mr. THOMAS) and save it for the one for the President.

All he asks Members to do is to approve; to say, I approve everything George Bush wants. That is what this Congress is about. They do not want any debate. They do not want to talk about how much this debt builds up or anything else; they simply want to be rubber stamps for the President. Boom.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, I rise in strong opposition to this unfair and undemocratic rule and proposal.

Only in Washington would the Republican tax cuts just signed into law by the President come at the expense of working families.

Only in Washington would Republicans borrow money to pay for that

Republican tax package while failing to include child care tax credits for the working families whose very children will be forced to pay for the Republicans' fiscal irresponsibility.

Only in Washington would the Republican tax package leave one in five children of active duty U.S. military families out from benefiting from the increased tax credit while their parents are off risking their lives in Iraq, Afghanistan, or elsewhere for their Nation.

Only in Washington would Republicans then propose an \$82 billion tax bill, adding another \$100 billion to the national debt to fix a \$3.5 billion problem.

If we repeal every sunset in their tax bill, which is what we are beginning to do here, we will have \$400 billion in annual deficits. That is not what we want to do to the very children we are trying to help in this bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, there are two bills at the desk. They are right next to the podium there, H.R. 1307 and H.R. 1308. They are right there. The question to the gentleman from New York (Mr. REYNOLDS) and his leadership is, why not take those two bills, pass them today, and have them signed by the President? That is the question.

Well, someone comes here, the gentleman from California (Mr. DREIER), and reads a statement from the President. Oh, but just a few days ago his spokesperson said, he, the President, believes what the Senate has done is the right thing to do, a good thing to do, and he wants to sign it. Instead, they want to do something else.

The gentleman from Texas (Mr. DELAY) has maybe made clear, he said, as mentioned earlier, that there are a lot of things more important to do. Then a little later he says, to me it is a little difficult to give tax relief to people who do not pay income tax, though they pay all other kinds of taxes. So what they are doing is a bill with a huge, huge addition to the deficit. Maybe they hope that they will kill this bill when it goes over to the Senate.

There is a kind of legislative machoism going on here; we are going to show the Senate, at the cost of the people of this country. They are making wimps out of some Republicans who would like to vote the right way by tying this into a rule. They are making the President issue a statement that contradicts what was said on his behalf just a few days ago. Most importantly of all, what they are saying once again is, deficits be damned. Pile them up. Pile them up.

What I say is take these bills, let us pass them today, and get on with our work for the children of the United States of America.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, only a week ago I do not think the gentleman was advocating any tax cuts. But I just want to remind our colleagues that are both here and throughout the offices that in fiscal year 2004, in the adopted budget resolution, language was included for the first time limiting the amount of revenue reductions in the Senate to a deficit impact of \$350 billion.

The House articulated its clear reservations to this maneuver because all revenue measures must originate in the House; we retained our right to develop more measures to reduce the tax burden on the American people.

So the options for the Committee on Rules, they could, one, accept the Senate proposals as a whole imposing offset requirements; two, call up an entirely new House bill, starting the process anew, with likely substitutes, in essence dragging out the process that would take the ability to move, and I am not sure whether the gentleman knows for sure we have a quorum tomorrow; and, three, we could stipulate the House prerogative to provide tax relief with a comprehensive proposal that has broad policy support.

Why should the House impose offsets when our own budget made room for a proposal just like this, the one I have outlined that does so much for working families across the country?

Mr. Speaker, I reserve the balance of my time.

□ 1630

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, the gentleman from New York (Mr. REYNOLDS) talked about averages. Beware of averages.

If the gentleman from New York (Mr. REYNOLDS) gets \$100,000 tax cut and I get a zero tax cut, that means the two of us got a \$50,000 average tax cut. Beware of Republicans quoting average tax cuts.

The GOP's intransigence is on full display with the self-executing rule on this legislation to allow low-income working American families to benefit from the increase in the child tax credit.

Let there be no mistake: With this rule, the GOP leadership wants to send this legislation into conference committee where it hopes to tie up the bill and watch it die a slow death.

Two days ago, when the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS) unveiled the House GOP's fiscally irresponsible version of this bill, he had the audacity to say, "We are not in the business of politics, but rather policy."

Well, I ask, is the United States Senate playing politics with this issue?

That body passed a responsible bipartisan bill, 94 Senators voting for it, giving relief to 12 million children and 6.5

million families. I ask, is the President of the United States playing politics when he said he would sign the Senate bill and urged us to pass it? And the Democratic Caucus on this side of the aisle, every one of whom is prepared to vote for the bill that the President says he will sign that will give immediate relief to 12 million children and 6.5 million working families.

So we all know who is really playing politics on this issue. And it is not Senate Republicans, Senate Democrats, House Democrats, and President Bush who support the immediate passage of the Senate bill. It is the House Republicans who have proposed an irresponsible, \$82 billion bill that is not paid for, that would drive us even deeper into debt and possibly prevent low-income working families from receiving this benefit.

I have said on this floor before, when you did not allow us to offer a substitute, that you did not have the courage of your convictions. I have said on this floor before when you did not allow us to offer amendments, that you did not have the courage of your convictions. Now, you not only do not allow us to offer a substitute, you do not allow us to offer amendments, you do not even have the courage to put your own bill on the floor.

The public probably does not understand that. This is a rule. Not the bill. We are not debating the bill. And, as a matter of fact, the committee whose jurisdiction has this bill is not even on the floor and they have not spoken on this bill. The leadership of the committee has not come forward and said that it is good bill. They have handled it on a procedural matter. Why? To muzzle us and to muzzle their folks who they do not rely on to vote on the substance of this bill, but hope and pray they will get enough of their people on the procedural end of this bill to carry the day. That is unfortunate.

Eighty-two billion dollars of deficit that Americans are going to have to pay for, my children are going to have to pay for, my grandchildren are going to have to pay for; and we do not even have the courage to put the bill on the floor, but this rule ruse is what we are confronted with.

Vote no on the previous question. Vote no on the bill.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not think there are any rubber stamps in that package.

Mr. Speaker, in this short time, it is 4:34, daylight, we will have an opportunity to have our colleagues come in, and they are going to vote yes and they will do a tax cut that varies on the All-American Tax Relief Act of 2003, or they will vote no and say all those press releases I put out last week wanting to move expeditiously on this, they do not really matter because now it is before us.

Well, it is here. And I must say both the chairman, the gentleman from California (Mr. THOMAS), and others

from the Committee on Ways and Means and the Committee on Rules found a solution to meet what seemed to be Republican and Democrats wanting to expedite this bill. And so we took the House resolution with a Senate amendment. The Senate amendment we have disposed with, the House coming back quickly with the amendments to go to the other body. And it is going to be done today. It is not going to be done tomorrow. It is not going to be done next week. We have an opportunity to do it right now.

And while we are listening to all of this, some of them on procedure, I just want to remind the esteemed whip that I think we have been debating the merits of this bill for an hour; and some agree, some do not. Pretty soon we will put it up, 4:35, and take a look at how it ends. But I want to remind my colleagues that this bill, as amended, and sent back to the Senate will increase the child credit for \$1,000 for an eligible child through 2010; not for some slick promise of 2003 and 2004, and then it slides back after the next election. It is straightforward, straight up, right until 2010. It eliminates the marriage penalty on child credit. It accelerates the increase in the refundable child credit. It provides tax relief and enhances tax fairness for members of the Armed Forces. It suspends the tax-exempt status of designated terrorist organizations and provides tax relief for astronauts who die on space missions.

Those pieces of legislation, as they were before us or the other body, have been dealt with in the last several months and years by this body or the other body. So when we get done here with this debate, we are going to have an opportunity, yes or no. If you vote yes, you are going to give America that tax cut. If not, you are going to find some way to wrangle out of it with a press release. But what I heard was everybody wanted to get underway and make this happen. The Committee on Ways and Means and the Committee on Rules is giving this honorable body that action today.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. SWEENEY). The Chair will inform Members that the gentleman from New York (Mr. REYNOLDS) has 3½ minutes remaining. The gentleman from Texas (Mr. FROST) has 4 minutes remaining.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, I would remind the gentleman from New York (Mr. REYNOLDS) here that I am a member of the Committee on Ways and Means, and we did not have any markup. We did not have any opportunity to debate this bill in committee.

We call it the All-American Tax Relief Act. It is red, white and blue. And

you say to yourself, who could possibly object? I object. And I object on behalf of those 200,000 military families who are ineligible for this enhanced child tax credit, even though they served honorably in Iraq and Afghanistan and other combat zones. They apparently are not all-American enough to qualify for this bill. That provision is missing from the House All-American Tax Relief Act.

You might have noticed that the refundable tax credit has no revenue impact this year under the House bill but does so under the Senate bill. How could it be that the stars-and-stripes House bill provides no relief this year? That is because the all-American bill rejects the notion that low-income families deserve immediate relief as every other American family will get in the next 6 weeks.

Low-income families must wait for their checks until next year, and, of course, those serving in a combat zone, they can wait forever. Reject this bill. It is unpatriotic.

Mr. REYNOLDS. Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Alabama (Mr. DAVIS).

Mr. DAVIS of Alabama. Mr. Speaker, one of our esteemed colleagues on the other side of the aisle is very fond of beginning his speeches by saying that nothing underscores more the difference between our two parties than whatever we are debating that day. And I happen to agree with him on this issue, Mr. Speaker.

I have only been here for 4 months, and I have heard a lot of debate in this Chamber, but I say this very candidly: My party would not have reached into the pockets of hardworking Americans to get to a \$350 billion cutoff number. My party would not leave veterans out of a package that purports to help people. And my party would not have to depend on a procedural maneuver to get votes to pass a tax credit for working families.

There are very fundamental differences between our parties and they are very much on display today. I urge all of my colleagues in this Chamber to understand that the very people who are steamrolling this particular bill through this Chamber today in the form of a rule vowed to kill it just several days ago. That would be very powerful proof if we had a jury and we had a trial here.

The very people that are pushing this measure today vowed several days ago that it would not be.

Mr. REYNOLDS. Mr. Speaker, if the ranking member would consider, I have one speaker to close. And if he would like to close, then I will do that and yield to the majority leader. If he has more speakers, I will reserve the balance of my time.

Mr. FROST. Mr. Speaker, I have one speaker and then I will close.

Mr. REYNOLDS. Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me time and for the magnificent way that he has managed this rule today.

Little did we know when we were discussing this issue of an expansion of a tax credit for working families in our country and for the children of our military men and women, that it would be a bill that would be managed by the Committee on Rules. Little did we know that a bill of the magnitude of \$82 billion would be something that would be unveiled on Tuesday night, not go to committee for review; when it went to the Committee on Rules yesterday, to not have the leadership, the author of the bill, present to defend it. And now we know why. Because they never intended to have a rule to bring the bill to the floor.

So frightened of debate on this issue are the Republicans, so frightened of the outcome that their own Members could not support this outrage that they are putting forth today, that they had to hide their ill will towards America's children behind a procedural vote to command the loyalty of the Republicans on a procedural vote while they knew they could not hold them on the substance of their bill. But that is the reality of it. And so we have to use the opportunities under this rule, as limited as it is, to point out what is so very, very wrong about what is going on on the floor of the House today.

Let us talk about the children. President Kennedy said that children are our greatest resources and our best hope for the future. A beautiful statement. One I am sure that we would all agree with. He did not say children of those making over a certain level of income in our country are our greatest resources, and if their parents do not serve in the military, they are our best hope for the future. But that is what this rule says today.

We had an opportunity in this body to expand the tax credit for children of working families and of military families by simply calling from the desk the Senate bill. It is right there at the desk. We could take it up by unanimous consent. The distinguished majority leader is here. We could agree to take it up by unanimous consent. It would be passed unanimously. It would be on the President's desk within the hour, signed into law, and all of the children that we are talking about, children of our men and women in uniform, children of families making between \$10,000 and \$26,000 would get the tax credit expansion this year.

No matter what the Republicans want to say about their proposal, it sabotages that good intention. There is no way with the proposal that they are putting forth, costing \$82 billion unpaid for, indebting the same children they purport to care about, indebting those same children to the tune of \$82

billion, granting with one hand but not granting to all children, and not granting this year but taking away with the other for a long time to come, burying our children in a mountain of debt heaped onto the debt incurred by their previous tax legislation, and depriving the children of the Federal initiatives to invest in their education, in their health, in their well-being, in their future, and in the future of our country.

The Republicans insist on doing this even though the opportunity that I said earlier exists. And why? One would have to suspect that they do not want to have a tax credit for the children of America's military and the children of working families between the income of \$10,000 and \$26,000, certainly not this year.

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Even though we cannot take up a full consideration of the bill or, heaven forbid, a substitute to it, indeed even the Senate bill which passed 94 to 2, a bipartisan piece of legislation, approved by the President, even though we cannot do it and we cannot have that discussion, it is important to note several facts.

One is the families that we are talking about here, working full time, working full time, many of those families make in a year less than Members of Congress do in 1 month; and yet Members of Congress, their children will receive the expansion of the tax credit this year; but no, no, no, if you make \$10,000 to \$26,000, I am sorry, children, you are out of luck. The Republicans give new meaning to the biblical phrase, "Suffer little children."

The other point to make is about the military. In the military, it is important to note that combat pay does not count toward consideration of the children's tax credit. Under current law, and this is important to note, under current law an E-5 or an E-6 sergeant with 6 years of service and two children would not be entitled to the full tax credit if he is in combat. So the minute that sergeant went to Iraq, if he stayed there for 6 months, his combat pay would not count toward his income for tax purposes, and so his children would not receive the tax credit expansion. This is not corrected in the Republican bill. The Senate bill helps these military families. The House bill does not.

It is important also to know that this legislation really is suspected as one that would kill the expansion of the tax credit. The Senators have said that they will not support the package if it is not paid for. They certainly have made it clear that they are not going to add \$82 billion, \$82 billion to the deficit, to the debt.

The issue before the House is clear. We can pass a fiscally responsible tax credit bill that helps 12 million children, including 250,000 children from military families, or we can indebt them for future generations. We can invest in our children, or we can indebt them. That is the choice that the Republicans have put before us.

Mr. Speaker, when I referenced the comments of President Kennedy, it was with the hope that we would agree in a bipartisan way in this body that when we say children are our greatest resource and our best hope for the future, that we are talking about all of the children in our country. We all want the best for our children. Many of us are privileged. I have five children, five grandchildren. I want the best for them, but they cannot have the best opportunity unless every child in America has opportunity. The Senate bill would enable that. The House bill does not.

I urge my colleagues to vote "no" on the rule and, in doing so, to support the value that we place on our children as our messengers to a future we will never see but that we want them to take forward a message of respect for all children in our country.

Mr. FROST. Mr. Speaker, just to clarify, does the gentleman—

Mr. REYNOLDS. Mr. Speaker, am I to be recognized?

The SPEAKER pro tempore (Mr. SWEENEY). The gentleman from New York (Mr. REYNOLDS) has 3½ minutes remaining. The gentleman from Texas (Mr. FROST) has 1 minute remaining.

Mr. REYNOLDS. Mr. Speaker, I want to know if I can be recognized.

The SPEAKER pro tempore. The gentleman from New York (Mr. REYNOLDS) is recognized.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

As I listened here, I kind of got the same confusion of when I listened to some of my colleagues on the debate when we just did some tax relief not long ago. Class warfare, this is all for the rich. I reminded my colleagues that I come from kind of a small town in upstate New York, and the debate occurred with my colleague, the gentleman from New York (Mr. RANGEL) from Harlem, and the gentleman from Texas (Mr. FROST), the ranking member of the Committee on Rules from Grand Prairie. None of them are really rich communities, and I cited that the tax bill the House Republicans moved forward on the floor after the adoption of the rule and then later passed took a family of four to make 40,000 bucks in my district and took their tax relief from \$1,785 they had to pay down to about \$40. I think that is real tax relief. I do not think \$40,000 is rich.

When I look at the legislation, I watch the press releases all over America say let us get on with it. We are on with it. Today we are either going to vote "yes," and I think it is going to be bipartisan, we are going to vote "yes" and send it to the Senate, or we are going to vote "no."

But I want to remind some of my colleagues when we get the light of day on this tax bill that was sent to us by the Senate there a couple of things we might have made an improvement on as House Republicans because my colleagues on the other side of the aisle might argue that the Republican tax

relief plans rob Peter to pay Paul, in other words, tax cuts for the rich. However, the Senate proposed offsets, Customs user fee extensions. I would argue this is robbing Peter to pay Paul because if you are raising taxes on those who actually pay them in order to subsidize tax refunds for those who share in no income tax liability whatsoever, it is fiscally and fundamentally unsound.

The only proven way to restrict government spending is to reduce revenues. Tightening the purse strings by providing much needed tax relief is the only way to get money back to hard-working Americans, no matter how wealthy or poor they are. Get it out of Washington and back in the pockets of American taxpayers.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, Republicans face a choice. They can do the right thing by passing the Senate bill, giving 12 million children and their working families immediate tax relief, or they can do the wrong thing by continuing to explode the deficit with a bill that the other body will never accept.

I urge Members to do the right thing and vote "no" on the previous question. Do the right thing for working families. Do the right thing for military families. It is not hard. Just do the right thing. If the Republicans tried it, Mr. Speaker, they might find they actually liked it. Come on in, Democrats say, the water is just fine; the water is warm.

If the previous question is defeated, we will immediately take from the Speaker's table H.R. 1307 and H.R. 1308, the Senate-passed version of the Armed Forces Tax Fairness bill and the child tax credit. This House will pass them unanimously and send them to the President for his signature. This is it. No games, no delay. Just immediate tax relief for working and military families that is completely paid for.

Mr. Speaker, these bills are at the Speaker's table. What is the choice? Do Republicans want to pass the bills, or do they want to kill the bills? Will they ever choose the right thing? Democrats await their answers. Vote "no" on the previous question.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately before the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

This vote is actually quite simple. A "yes" vote means greater fairness in the Tax Code and a mere tax relief for American workers families and children. A "no" vote stops that relief from moving forward and hurts the

very people I know many of my colleagues eagerly want to assist.

I urge my colleagues to join me in voting "yes" on this resolution at the end of the debate.

Mr. Speaker, I am honored to yield 1 minute to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Speaker, this is a big one. This bill really crystallizes the differences between the two parties, and the American people should know exactly what is going on here today.

We are here to answer one question, do you support a \$1,000 child tax credit, or do you not support it? This bill that we are debating here today provides \$80 billion in tax relief and \$77 billion of it extends the life of the child tax credit instead of cutting it off in 2004.

At the end of this vote, the American people will see that the Republican Party believes in helping families through the child tax credit and the Democrat Party does not. The record up to now is very clear. In 2001, a Republican Congress and a Republican President doubled the child tax credit to \$1,000, and the Democrats voted "no." Just a few weeks ago, the President's jobs and growth package expanded the child tax credit and took 3 million low-income Americans off the tax roles altogether, and once again, the Democrats voted "no."

Now our critics said it was too big. Then they turned right around and demanded that we make it bigger. You said working Americans needed additional tax relief, and you know what, the Republicans could not agree more with you.

Consider a single mother of two earning \$20,000 a year. Under the Clinton tax hike of 1993, her total tax bill, including income tax, payroll tax, local taxes, State taxes and the sales tax was more than \$800. Now, after the Bush tax relief of 2001, that same single mother's total tax bill shrunk to less than \$100, and under the President's jobs and growth package we just passed, that same single mother's total tax bill is now zero, and in fact, she now gets additional money from the American people because of tax relief that the Republicans passed, and all along the Democrats voted "no."

Under the bill we pass today, not only will that same single mother pay no taxes, but she will get more than \$400 in additional help from the American people; and yet if this debate is any indication at all, you will still vote "no."

Our critics talk a very good game, but this is their chance to put their money where their mouth is. I will ask again, are you for a \$1,000 child tax credit, or are you against it?

This bill is real simple, Mr. Speaker. It extends the life of the child tax credit. It provides additional help for lower-income families, and it eliminates the marriage penalty. It includes, by the way, tax relief for military families, which you all have been

calling for, and revokes the tax-exempt status of terrorist organizations.

Finally, it will provide tax relief for the families of astronauts who lose their lives in the service of their Nation in space like the Columbia 7. This is a pretty important point, especially for me. Members from Florida and Texas, whose constituents include astronauts and members of the NASA family, have a clear choice to make. Will they cast their votes with their courageous constituents or with the empty promises of the obstructionists? How can Members from Texas and Florida, how can any Member, oppose this piece of legislation?

In this bill, we have given our critics everything that they have said they wanted to help lower-income Americans, and now with the whole world watching and the credibility of the Democratic Party on the line, are you for a \$1,000 child tax credit, or are you against it?

In just a few moments we will once again see which party stands up for the cameras and which party stands up for working families.

Ms. MCCARTHY of Missouri. Mr. Speaker, the issue today is fixing a mistake of the last round of tax cuts: the inherent bias of the Child Tax Credit. Although the Child Tax Credit was a great victory for the families of America, it was not perfect. It created an inequality between the poor and rich by excluding 6 million members of the working class from the tax breaks.

Recognizing this error, the Senate, with support of the President, passed a bill correcting this inequality. This bill extends the tax breaks to those 6 million previously left out, while also providing an effective way of paying for the breaks. It solves the problem facing us while also being fiscally responsible.

By accepting the Senate's bill, the House could get the legislation quickly on the President's desk, expediting financial aid to those who most need it. If only it was that easy. Instead of moving to accept this legislation, the House Leadership has seized this opportunity to further their cause of additional tax relief for the wealthy. They have taken this bill and manipulated it into a tax cut with an \$82 billion price tag, which will further contribute to the exponential rise of our nation's debt. Additionally, in a rarely used political maneuver, they have attached this bill to a vote upon the rule governing consideration, not the measure itself.

I urge this House to stop these political games, defeat the rule and address equity in the Child Tax Credit by passing the measure agreed to by the Senate and President Bush.

Mr. BLUMENAUER. Mr. Speaker, it is appalling that a substantive vote on H.R. 1308 has been denied. The use of a self-executing rule has transformed the House action into a procedural vote guaranteeing its passage while denying any kind of fair fight on the spending of nearly \$80 billion additional dollars.

The bill before us today says more about our long-term priorities than about helping the lower income families and children left out of the recently enacted tax cut. Apparently, based on the actions of the Republican leadership, there is not enough money for hard-

working, low-income people, but there is money to help people who are much better off. The gist of the tax credit debate these last two weeks has been about the lesser tax credit offered to families that make between \$10,500 and \$26,625 per year. Providing these families with the same child tax credit as families making up to \$110,000 per year would cost \$3.5 billion.

Today, we are debating a bill with a price tag of \$82 billion. This comes on the heels of new projections that our budget deficit this year will surpass \$400 billion, far exceeding any other one year budget shortfall in history. Many economists are projecting a 2004 budget deficit on one half of a trillion dollars. The exploding deficit will, in this year alone, add about \$16 billion in extra interest payments, which simply reduces funding available to other needed programs.

All the groups that care deeply about children and poor people are appalled by this bill, and will be left to hope that the Senate has the good sense to resist it. If this bill succeeds it will accelerate the pace of reauthorizing these proposals, eliminating the sunsets and making them permanent leading to even more dramatic budget shortages. These deficits will squeeze out funding for necessary programs and establish the principle that we are not going to help those that are struggling in this depressed economy.

The Republican leadership is spending 6 times as much to give the tax credit to the top 10 percent of the population as they are to extend the benefit to the modest income families they left out. For about the same cost as giving it to the most well off, they could extend coverage to those making as little as \$7,500 per year. It's all about priorities.

I do not share these priorities. I only wish there would have been a chance to vote against their proposal.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in strong opposition to H.R. 1308, the "Only If you Make Enough Money" All American Tax Relief Act of 2003.

In the Federalist Papers, Alexander Hamilton writes, "I know that powerful individuals, in this and in other States, are enemies to a general government in every possible shape." Perhaps Hamilton had the current Republican Caucus in mind when he issued this warning more than 225 years ago. Clearly, the bill that this body is considering today is an example of power, ignorance, and plain and simple greed.

When the President signed into law the most recent tax cut, he signed a flawed bill. It was flawed when it first passed the House and it was flawed when the Conference Report was approved. Honestly, Mr. Speaker, I'm not surprised. As in so many other instances, during the still of the night—when the majority of Americans had already gone to bed—House Republicans cut a deal with Senate Republicans and rushed to complete a tax cut requested by an over zealous President.

As America has had a chance to sift through the most recent tax cut, it has become clear that the Republican Majority passed a bill which neglects more than 12 million children who are growing up in low-income families and the ability for their parents to benefit from the expansion of the child tax credit. Even worse, when provided with an opportunity to fix what is wrong with the initial bill—in a non-controversial manner and at a rel-

atively inexpensive cost—the Republican Majority has proven that it is more interested in scoring political points with the rich at the expense of America's children.

Now, I'd like to give the Majority the benefit of the doubt and believe that the exclusion of families making between \$10,500 and \$26,625 was a simple oversight. However, after examining the bill that the House is considering today, as well as the reluctance at which the Majority is bringing it to the floor, it is increasingly clear that the "oversight" Republicans made in the most recent tax bill was anything but an oversight. Instead, it was a concerted effort to avoid extending the credit to all families, rich and poor, to save offset room for an international business tax bill that the Majority Leader and Chairman of the Ways and Means Committee have each indicated is a priority.

Well, Mr. Speaker, I can think of no greater priority than helping America's children and neediest families. This bill does little of the sort.

The Majority may try and sell this bill to the American public as one that helps those who need it most, but the truth remains that the bill is filled with tax cuts that benefit the wealthy more than six times as much as they do the needy. This is a tax cut that further drives our country into debt and deficit spending, and it lacks even the slightest bit of fiscal responsibility.

Mr. Speaker, I've often been referred to as a "tax and spend liberal." Well, I'm liberal and I'm proud of it. Frankly, I don't mind spending our tax dollars on government programs that, one, help people, and two, can be paid for through honest fiscal policy and, to the extent possible, balanced budgets. On the contrary, perhaps it might be best to describe the Majority as a bunch of "cut and charge conservatives." The key difference between them and us is that Democrats pay up front for the government programs we support, whereas Republicans pay for their priorities on credit cards and leave the debt for future Democratic Majorities to pay off. This bill further runs up America's charge account for generations to come.

I urge my colleagues to reject this bill and join America's children and call on the Republican Majority to bring the Senate passed child tax credit bill to the floor for its immediate consideration.

Mr. BERTEUTER. Mr. Speaker, it is unfortunate, but H.R. 1308 is a new \$82 billion tax cut package that simply is too large. The House-passed version of H.R. 1308 will add to the already unprecedented national debt that future generations will face. Apparently, the Senate last week initially considered a proposal similar to the House-passed version of H.R. 1380 during its negotiations on child tax credit legislation, but the Senate rejected this proposal out of hand because of the effect it would have in worsening the deficit.

Furthermore, while the focus of debate has been on the extension of the child tax credit, only a tiny fraction, about 4 percent, of the \$82 billion tax cut amount—\$3.5 billion—goes toward extending the child tax credit for the estimated 12 million children who were left out of the previously enacted tax cut legislation. It is also unfortunate that over two-thirds of the House-passed version for child tax credit benefits will go to many higher-income families through an increase in the income level from \$110,000 to \$150,000 at which the child tax

credit begins to phase down for married families. This would make married families in the \$110,000–\$150,000 income range, who now receive a partial child tax credit, eligible for a full credit. It also extends a partial tax credit to many families in the \$150,000–\$200,000 range or, in the case of families with more than two children, to some families with incomes exceeding \$200,000. The extension of the credit to these higher-income families would cost \$20.4 billion through 2010 under the House-passed bill. While the Senate-passed child tax credit bill has a similar provision, it costs only \$4.8 billion because the Senate provision would not begin to phase in until 2008 and would not take full effect until 2010.

Mr. Speaker, therefore, what is at stake is more than a simple extension of the child tax credit, instead what is at stake is whether or not many of the major tax cuts already passed will be extended beyond their sunsets and whether new additional tax cuts will be passed to further add to our deficit without the costs being offset. This Member believes that if this happens then our nation's long-term fiscal status is destined to markedly decline. Furthermore, this Member has been an outspoken critic that the original tax cut proposal from the Administration was too large, and this Member continues to believe that unless we take a more fiscally responsible course of tax cuts, then we will simply be passing a greater mountain of debt of our nation's children and their children. This Member also believes that such fiscally irresponsible tax cuts will increase the pressure to make even more draconian cuts in our Federal programs—beyond what is considered to be the necessary cuts to eliminate waste, fraud and abuse in such programs.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to the Republican Tax Cut bill, H.R. 1308, and in strong support of the Democrat's Child Credit package passed in the Senate.

I stand today in solidarity with my Democratic colleagues to stop the attack on America's children and families. The Democrats have proposed a clean child tax credit bill that will provide relief to millions of America's children and families. The Republicans are trying to bog our bill down with unnecessary provisions. America's children are our number one priority. I don't understand why the Republicans continue to put our children at risk.

The America we believe in is one of fairness. The Republican tax cuts have failed to live up to that test. At the expense of America's children they chose to give tax breaks to the wealthiest Americans. In fact, an advocacy group study found that under the Republicans' plan, a million children of active-duty military families and military veterans would not get tax relief. That is wrong and we must do better.

The Democrats have given the Republicans a means of reversing their damaging tax cut and helping America's children. If they chose to take up the Senate legislation, House Republicans could get 6.5 million hard working families child tax credit checks this year. This would provide America's working class families with the same breaks as families with higher incomes. Some of these families work full-time at the minimum wage and still make less than \$11,000 per year.

The Republican's bill contains is damaging to the families and children of our brave men

and women in uniform. Under current law, an E-5 or E-6 sergeant with 6 years of service and 2 children is paid \$29,000 a year. If he did not serve in combat, both of his children would be entitled to the full \$1,000 tax credit; but if he goes to combat for 6 months his credit would drop to approximately \$450 under the House bill. The Senate bill helps these military families, the House bill does not.

Republicans are exploiting the child tax credit provision in order to pass even more tax cuts that will burden America's children with insurmountable debt for years to come. This was all done in order to make room for a dividend tax cut target to the wealthy few. It is time for House Republicans to right this wrong, stop playing politics, and pass the Senate bill.

Strengthening our nation means investing in all of our children. Further, the Republican decision to delay the increase of the child tax credit disproportionately harms military families and black and Hispanic families. Experts estimate that 260,000 children—or one in five—from families of active military will lose some of the child credit because of the Republican's decision to drop the Lincoln provision. It also disproportionately penalizes black and Hispanic children. Minority children, including 2.4 million black children, and 4.1 million Hispanic children will be left in the cold by the Republican plan.

The Senate Bill is the Way to Strengthen the Economy. The Democrat's plan is preferable because it puts money in the hands of working Americans by keeping our fiscal house in order can we create jobs and build a strong economy.

For these reasons, Mr. Speaker, I support the bill passed by the Senate and say shame on the supporters of H.R. 1308, who insist on doing harm to America's children.

Mr. MEEKS of New York. Mr. Speaker, I stand here today to discuss real intentions. The real intentions of the majority party to continue its careless actions that further devastate a suffering economy, that further diminish the opportunities of working and military families to care for their loved ones, and that further helps the rich become richer and the poor become poorer.

My colleagues, last month's \$350 billion tax-cut package that passed was not really about stimulating the economy, but instead it was about borrowing nearly a trillion dollars to engineer a permanent shift in the tax burden away from the very wealthy, and a permanent reduction in federal revenues. If the tax bill's real intention was to stimulate the economy, those 12 million checks of up to \$400 would have been first in, not first out, of the legislation. Again, the real intentions of the majority came to light—to provide relief for upper-income taxpayers. These real intentions are best seen in H. Res. 270, which provides low-income families with a child tax credit, but only if higher-income families are also eligible.

The intentions of the majority have caused many upper-income taxpayers to pay attention to what is currently happening and they send a thank you to those who support this shady legislation. They want to say:

Thank you for borrowing another \$82 billion at a time when the federal deficit has exceeded \$400 billion for 2003 and approaches \$500 billion for 2004, adding billions of dollars in "debt tax" onto the backs of the very families that need this assistance the most.

Thank you for making a compromise between the two parties so hard to reach, for you are only further preventing discussion of a real prescription drug benefit and the rising percentage of unemployed people across this great nation.

Thank you for ignoring the agreement reached in the Senate, you are only further keeping Congress from focusing on other important issues such as the 41 million uninsured people in this nation.

Thank you for the corporate welfare to criminal enterprises like MCI Worldcom who stole the retirement savings of more than 1 million pension holders in New York State. These pension holders were victimized by MCI Worldcom's fraud and now see MCI abusing Sec. 108 of the Internal Revenue Code of 1986 in order to avoid paying about \$4 billion in future taxes because of its past criminal behavior.

Finally, thank you for the deceptive games being played, we truly see how as a majority party how careless and clueless you are about what it takes to restart this economy and support needy families throughout this nation.

Mr. PORTMAN. Mr. Speaker, I rise today in strong support of the All-American Tax Relief Act of 2003. This is a balanced approach to extending tax relief to America's families.

This tax package not only gives relief to American families that need a helping hand, but it also provides fair tax relief to military families and young married couples.

Tax relief to military families, Mr. Speaker, who sacrifice so much to protect and contribute to our American way of life.

Tax relief to young married couples, Mr. Speaker, who are just starting out and building a family of their own.

We have heard the Democrats all day say that Republicans are giving more tax breaks to the rich . . . Well I don't know about you, Mr. Speaker, but I don't know too many military families or young married couples that I would call rich.

Two weeks ago, the Democrats said we were providing too much tax relief to American families, then last week the Democrats said we were not giving enough tax relief to American families, and, as we have heard here time and time again today, the Democrats now say we are once again giving too much tax relief to American families.

I say to my friends across the aisle, which is it?

I also say to my friends across the aisle, stop playing politics with the American people's money.

The All-American Tax Relief Act of 2003 is a balanced approach to providing tax relief to families with children. Every parent knows there is always another pair of sneakers to buy, or another text book or calculator to buy and this bill gives parents more of the money they earn to spend it on the needs they have.

This bill brings long overdue tax fairness to America's military families.

No longer will the surviving family members of soldiers that lost their lives protecting this country have to be taxed for the money they receive for their loved ones' sacrifice.

No longer will military families be taxed on assistance they receive when their home values drop because Congress closes bases.

No longer, Mr. Speaker, will our military Reservists be prevented from deducting travel expenses incurred by serving this country.

The All-American Tax Relief Act of 2003 does just what it says; it provides balanced tax relief to all of America's families.

I urge my colleagues to support this bill and I urge the Democrats to stop listening to their pollsters and start listening to the many Americans that not only want, but need tax relief. This is not an issue to play politics with; this is an issue to provide leadership on.

Mr. MOORE. Mr. Speaker, I rise today in opposition to H.R. 1308, a measure brought to the floor by House Republican leadership with little intention of truly helping America's working families.

On June 9, I sponsored important bipartisan legislation that would help each and every parent pay their bills during this time of financial uncertainty. My bill, H.R. 2392, would restore the child tax credit to working families; it is the House version of a bill passed by the Senate last week, on a vote of 94–2, supported by our Senators ROBERTS and BROWNBACK.

If the House passes my bill without amendment, it would immediately go to the President for his signature. President Bush has asked Congress to act on this bill now.

My bill would fully restore those provisions of the President's tax cut that were stripped out by the House leadership in order to make room for a larger dividend and capital gains tax cut.

This bill would restore the child tax credit to the families of over 12 million children nationwide, 1 million of whom have parents serving in the military. In Kansas, this bill would assist over 162,000 children and their families who have received this credit since 1997—a credit which was taken from them by the leadership in the House.

These families earn between \$10,500 and \$26,625 per year. They work hard to raise their children—and helping hard-working families make ends meet and raise their kids is the goal of the child tax credit.

This bill is not about welfare. This bill is about helping working families who pay taxes to receive tax relief. This bill is about fairness for all families and children.

My bill is about our priorities; and our priorities reflect our values.

Taking the child tax credit away from hard-working Kansans doesn't represent Kansas values. It wasn't compassionate. It wasn't fair. And it still isn't right.

My bill will help parents struggling to make ends meet. They will use the additional \$400-per-child tax cut to buy clothes or shoes or books for their kids—helping their families and providing an immediate boost to our economy at the same time.

The House leadership hopes to appear to be assisting our most needy families when, in fact, their real goal is to kill this bill. Indeed, the Senate has already moved to bring relief and President Bush has called for quick House action on a measure to restore this portion of the child credit. In vote after vote this week, my colleagues and I who support helping working families have given House leaders the opportunity to follow the Senate; heed the President's call; and bring up my bill. They have repeatedly said—and voted—no.

Instead, they have decided to slow and muddy this process by considering a budget-busting bill that will cause a tedious conference committee; thus, serving only a defeat any attempt to bring relief to working families across America.

In addition, Mr. Speaker, the Thomas proposal costs \$82 million and is irresponsibly laden with goodies and extras, in an attempt to slow this process. My alternative offers clean language mirroring the Senate legislation, in accordance with the President's request, and a \$10 million paid-for price tag.

This is Washington politics-as-usual at its worst.

I applaud the effort underway to defeat the rule on this bill so that either the Senate bill or Castle-Tanner-Moore can be taken from the desk, considered, passed and immediately sent to the President for enactment.

Mr. Speaker, I ask my colleagues to consider their values and priorities when voting on this legislation. Passage will slow the process to help alleviate fiscal pressures endured by families across the nation; rejection of the Thomas bill will be a step forward in the flight for hard-working families who need and deserve this support.

The material previously referred to by Mr. FROST is as follows:

PREVIOUS QUESTION TEXT FOR H. RES. 270

Strike all after the resolving clause and insert in lieu thereof the following:

"Immediately upon adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification, and for other purpose, with Senate amendments thereto, and a single motion that the House concur in each of the Senate amendments shall be considered as pending without intervention of any point of order. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

"SEC. 2. Immediately after disposition of the bill H.R. 1308 the House shall be considered to have taken from the Speaker's table the bill (H.R. 1307) to amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services in determining the exclusion of gain from the sale of a principal residence and to restore the tax exempt status of death gratuity payments to members of the uniformed services, and for other purposes, with Senate amendment thereto, and a motion that the House concur in the Senate amendment shall be considered as pending without intervention of any point of order. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to final adoption without intervening motion."

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. REYNOLDS. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum

is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 225, nays 201, not voting 8, as follows:

[Roll No. 273]

YEAS—225

Aderholt	Gibbons	Otter
Alkin	Gilchrest	Oxley
Bachus	Gillmor	Paul
Baker	Gingrey	Pearce
Ballenger	Goode	Pence
Barrett (SC)	Goodlatte	Peterson (PA)
Bartlett (MD)	Goss	Petri
Barton (TX)	Granger	Pickering
Bass	Graves	Pitts
Beauprez	Green (WI)	Platts
Bereuter	Greenwood	Pombo
Biggert	Gutknecht	Porter
Bilirakis	Harris	Portman
Bishop (UT)	Hart	Pryce (OH)
Blackburn	Hastings (WA)	Putnam
Blunt	Hayes	Quinn
Boehlert	Hayworth	Radanovich
Boehner	Hefley	Ramstad
Bonilla	Hensarling	Regula
Bonner	Herger	Rehberg
Bono	Hobson	Renzi
Boozman	Hoekstra	Reynolds
Bradley (NH)	Hostettler	Rogers (AL)
Brady (TX)	Houghton	Rogers (KY)
Brown (SC)	Hulshof	Rogers (MI)
Brown-Waite,	Hunter	Rohrabacher
Ginny	Hyde	Ros-Lehtinen
Burgess	Isakson	Royce
Burns	Issa	Ryan (WI)
Burr	Istook	Ryun (KS)
Burton (IN)	Janklow	Saxton
Buyer	Jenkins	Schrock
Calvert	Johnson (IL)	Sensenbrenner
Camp	Johnson, Sam	Sessions
Cannon	Jones (NC)	Shadegg
Cantor	Keller	Shaw
Capito	Kelly	Shays
Carter	Kennedy (MN)	Sherwood
Castle	King (IA)	Shimkus
Chabot	King (NY)	Shuster
Chocola	Kingston	Simmons
Coble	Kirk	Simpson
Cole	Kline	Smith (MI)
Collins	Knollenberg	Smith (NJ)
Cox	Kolbe	Smith (TX)
Crane	LaHood	Souder
Crenshaw	Latham	Stearns
Culberson	LaTourrette	Sullivan
Cunningham	Leach	Sweeney
Davis, Jo Ann	Lewis (CA)	Tancred
Davis, Tom	Lewis (KY)	Tauzin
Deal (GA)	LoBiondo	Taylor (NC)
DeLay	Lucas (OK)	Terry
DeMint	Manzullo	Thomas
Diaz-Balart, L.	McCotter	Thornberry
Diaz-Balart, M.	McCrery	Tiahrt
Doolittle	McHugh	Tiberi
Dreier	McInnis	Toomey
Duncan	McKeon	Turner (OH)
Dunn	Mica	Upton
Ehlers	Miller (FL)	Vitter
Emerson	Miller (MI)	Walden (OR)
English	Miller, Gary	Walsh
Everett	Moran (KS)	Wamp
Feeney	Murphy	Weldon (FL)
Ferguson	Musgrave	Weldon (PA)
Flake	Myrick	Weller
Fletcher	Nethercutt	Whitfield
Foley	Neugebauer	Wicker
Forbes	Ney	Wilson (NM)
Fossella	Northup	Wilson (SC)
Franks (AZ)	Norwood	Wolf
Frelinghuysen	Nunes	Young (AK)
Galleghy	Nussle	Young (FL)
Garrett (NJ)	Osborne	
Gerlach	Ose	

NAYS—201

Abercrombie	Harman	Napolitano
Alexander	Hastings (FL)	Neal (MA)
Allen	Hill	Oberstar
Andrews	Hinchey	Obey
Baca	Hinojosa	Oliver
Baird	Hoefel	Ortiz
Baldwin	Holden	Owens
Ballance	Holt	Pallone
Becerra	Honda	Pascrell
Bell	Hooley (OR)	Pastor
Berkley	Hoyer	Payne
Berman	Inslee	Pelosi
Berry	Israel	Peterson (MN)
Bishop (GA)	Jackson (IL)	Pomeroy
Bishop (NY)	Jackson-Lee	Price (NC)
Boswell	(TX)	Rahall
Boucher	Jefferson	Rangel
Boyd	John	Reyes
Brady (PA)	Johnson, E. B.	Rodriguez
Brown (OH)	Jones (OH)	Ross
Brown, Corrine	Kanjorski	Rothman
Capps	Kaptur	Roybal-Allard
Capuano	Kennedy (RI)	Ruppersberger
Cardin	Kildee	Rush
Cardoza	Kilpatrick	Ryan (OH)
Carson (IN)	Kind	Sabo
Carson (OK)	Klecza	Sanchez, Linda
Case	Kucinich	T.
Clay	Lampson	Sanchez, Loretta
Clyburn	Langevin	Sanders
Conyers	Lantos	Sandlin
Cooper	Larsen (WA)	Schakowsky
Costello	Larson (CT)	Schiff
Cramer	Lee	Scott (GA)
Crowley	Levin	Scott (VA)
Cummings	Lewis (GA)	Serrano
Davis (AL)	Lipinski	Sherman
Davis (CA)	Lofgren	Skelton
Davis (FL)	Lowe	Slaughter
Davis (IL)	Lucas (KY)	Snyder
Davis (TN)	Lynch	Solis
DeFazio	Majette	Spratt
DeGette	Maloney	Stark
Delahunt	Markey	Stenholm
DeLauro	Marshall	Strickland
Deutsch	Matheson	Stupak
Dicks	Matsui	Tanner
Dingell	McCarthy (MO)	Tauscher
Doggett	McCarthy (NY)	Taylor (MS)
Dooley (CA)	McCollum	Thompson (CA)
Doyle	McDermott	Thompson (MS)
Edwards	McGovern	Tierney
Emanuel	McIntyre	Towns
Engel	McNulty	Turner (TX)
Etheridge	Meehan	Udall (CO)
Evans	Meek (FL)	Udall (NM)
Farr	Meeks (NY)	Van Hollen
Fattah	Menendez	Velazquez
Filner	Michaud	Visclosky
Ford	Millender-	Waters
Frank (MA)	McDonald	Watson
Frost	Miller (NC)	Watt
Gonzalez	Miller, George	Waxman
Gordon	Mollohan	Weiner
Green (TX)	Moore	Wexler
Grijalva	Moran (VA)	Woolsey
Gutierrez	Murtha	Wu
Hall	Nadler	Wynn

NOT VOTING—8

Ackerman	Eshoo	Linder
Blumenauer	Gephardt	Smith (WA)
Cubin	Johnson (CT)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1720

Mr. GORDON and Mr. DAVIS of Tennessee changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 201, not voting 10, as follows:

[Roll No. 274]

YEAS—224

Aderholt	Gibbons	Nussle
Akin	Gilchrest	Ose
Bachus	Gillmor	Otter
Baker	Gingrey	Oxley
Ballenger	Goode	Paul
Barrett (SC)	Goodlatte	Pearce
Bartlett (MD)	Goss	Pence
Barton (TX)	Granger	Peterson (PA)
Bass	Graves	Petri
Beauprez	Green (WI)	Pickering
Biggart	Greenwood	Pitts
Billirakis	Gutknecht	Platts
Bishop (GA)	Hall	Pombo
Bishop (UT)	Harris	Porter
Blackburn	Hart	Portman
Blunt	Hastert	Pryce (OH)
Boehlert	Hastings (WA)	Putnam
Boehner	Hayes	Radanovich
Bonilla	Hayworth	Ramstad
Bonner	Hensarling	Regula
Bono	Herger	Rehberg
Boozman	Hobson	Renzi
Bradley (NH)	Hoekstra	Reynolds
Brady (TX)	Hostettler	Rogers (AL)
Brown (SC)	Houghton	Rogers (KY)
Burgess	Hulshof	Rogers (MI)
Burns	Hunter	Rohrabacher
Burr	Hyde	Ros-Lehtinen
Burton (IN)	Isakson	Royce
Buyer	Issa	Ryan (WI)
Calvert	Janklow	Ryun (KS)
Camp	Jenkins	Saxton
Cannon	Johnson (IL)	Schrock
Cantor	Johnson, Sam	Sensenbrenner
Capito	Jones (NC)	Sessions
Carson (OK)	Keller	Shadegg
Carter	Kelly	Shaw
Chabot	Kennedy (MN)	Shays
Chocola	King (IA)	Sherwood
Coble	King (NY)	Shimkus
Cole	Kingston	Shuster
Collins	Kirk	Simmons
Cox	Kline	Simpson
Crane	Knollenberg	Smith (NJ)
Crenshaw	Kolbe	Smith (TX)
Culberson	Latham	Souder
Cunningham	LaTourette	Stearns
Davis (TN)	Leach	Sullivan
Davis, Jo Ann	Lewis (CA)	Sweeney
Davis, Tom	Lewis (KY)	Tancredo
Deal (GA)	LoBiondo	Tauzin
DeLay	Lucas (KY)	Taylor (NC)
DeMint	Lucas (OK)	Terry
Diaz-Balart, L.	Manzullo	Thomas
Diaz-Balart, M.	Marshall	Thornberry
Doolittle	Matheson	Tiahrt
Dreier	McCotter	Tiberi
Duncan	McCrery	Toomey
Dunn	McHugh	Turner (OH)
Emerson	McInnis	Vitter
English	McKeon	Walden (OR)
Everett	Mica	Walsh
Feeney	Miller (FL)	Wamp
Ferguson	Miller (MI)	Weldon (FL)
Flake	Miller, Gary	Weldon (PA)
Fletcher	Moran (KS)	Weller
Foley	Murphy	Whitfield
Forbes	Musgrave	Wicker
Ford	Myrick	Wilson (NM)
Fossella	Nethercutt	Wilson (SC)
Franks (AZ)	Neugebauer	Wolf
Frelinghuysen	Ney	Wynn
Gallely	Northup	Young (AK)
Garrett (NJ)	Norwood	Young (FL)
Gerlach	Nunes	

NAYS—201

Abercrombie	Berkley	Capuano
Alexander	Berman	Cardin
Allen	Berry	Cardoza
Andrews	Bishop (NY)	Carson (IN)
Baca	Boswell	Case
Baird	Boucher	Castle
Baldwin	Boyd	Clay
Ballance	Brady (PA)	Clyburn
Becerra	Brown (OH)	Conyers
Bell	Brown, Corrine	Cooper
Bereuter	Capps	Costello

Cramer	Kennedy (RI)	Peterson (MN)
Crowley	Kildee	Pomeroy
Cummings	Kilpatrick	Price (NC)
Davis (AL)	Kind	Quinn
Davis (CA)	Klecza	Rahall
Davis (FL)	Kucinich	Rangel
Davis (IL)	LaHood	Reyes
DeFazio	Lampson	Rodriguez
DeGette	Langevin	Ross
Delahunt	Lantos	Rothman
DeLauro	Larsen (WA)	Roybal-Allard
Deutsch	Larson (CT)	Ruppersberger
Dicks	Lee	Rush
Dingell	Levin	Ryan (OH)
Doggett	Lewis (GA)	Sabo
Dooley (CA)	Lipinski	Sanchez, Linda
Doyle	Lofgren	T.
Edwards	Lowey	Sanchez, Loretta
Ehlers	Lynch	Sanders
Emanuel	Majette	Sandlin
Engel	Maloney	Schakowsky
Etheridge	Markey	Schiff
Evans	Matsui	Scott (GA)
Farr	McCarthy (MO)	Scott (VA)
Fattah	McCarthy (NY)	Serrano
Filner	McCollum	Sherman
Frank (MA)	McDermott	Skelton
Frost	McGovern	Slaughter
Gonzalez	McIntyre	Snyder
Gordon	McNulty	Solis
Green (TX)	Meehan	Spratt
Grijalva	Meek (FL)	Stark
Gutierrez	Meeks (NY)	Stenholm
Harman	Menendez	Strickland
Hastings (FL)	Michaud	Stupak
Hefley	Millender-	Tanner
Hill	McDonald	Tauscher
Hinchey	Miller (NC)	Taylor (MS)
Hinojosa	Miller, George	Thompson (CA)
Hoefl	Mollohan	Thompson (MS)
Holden	Moore	Tierney
Holt	Moran (VA)	Towns
Honda	Murtha	Turner (TX)
Hooley (OR)	Nadler	Udall (CO)
Hoyer	Napolitano	Udall (NM)
Inlee	Neal (MA)	Upton
Israel	Oberstar	Van Hollen
Istook	Obey	Velazquez
Jackson (IL)	Olver	Visclosky
Jackson-Lee	Ortiz	Waters
(TX)	Osborne	Watson
Jefferson	Owens	Watt
John	Pallone	Waxman
Johnson, E. B.	Pascrell	Weiner
Jones (OH)	Pastor	Wexler
Kanjorski	Payne	Woolsey
Kaptur	Pelosi	Wu

NOT VOTING—10

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1728

Mr. CARSON of Oklahoma changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 270, the House, A, concurs in the Senate amendment to the title of H.R. 1308; and, B, concurs in the Senate amendment to the text of H.R. 1308 with the amendment printed in House Report 108-149.

The text of the Senate amendments is as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Relief for Working Families Tax Act of 2003”.

TITLE I—CHILD TAX CREDIT

SEC. 101. ACCELERATION OF INCREASE IN REFUNDABILITY OF THE CHILD TAX CREDIT.

(a) ACCELERATION OF REFUNDABILITY.—

(1) IN GENERAL.—Section 24(d)(1)(B)(i) of the Internal Revenue Code of 1986 (relating to portion of credit refundable) is amended by striking “(10 percent in the case of taxable years beginning before January 1, 2005)”.

(2) ADVANCE PAYMENT.—Subsection (b) of section 6429 of such Code (relating to advance payment of portion of increased child credit for 2003) is amended by striking “and” at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting “; and”, and by adding at the end the following new paragraph:

“(4) section 24(d)(1)(B)(i) applied without regard to the first parenthetical therein.”.

(3) EARNED INCOME INCLUDES COMBAT PAY.—Section 24(d)(1) of such Code is amended by adding at the end the following new sentence: “For purposes of subparagraph (B), any amount excluded from gross income by reason of section 112 shall be treated as earned income which is taken into account in computing taxable income for the taxable year.”.

(b) EFFECTIVE DATES.—

(1) SUBSECTIONS (a)(1) AND (a)(3).—The amendments made by subsections (a)(1) and (a)(3) shall apply to taxable years beginning after December 31, 2002.

(2) SUBSECTION (a)(2).—The amendments made by subsection (a)(2) shall take effect as if included in the amendments made by section 101(b) of the Jobs and Growth Tax Relief Reconciliation Act of 2003.

SEC. 102. REDUCTION IN MARRIAGE PENALTY IN CHILD TAX CREDIT.

(a) IN GENERAL.—Section 24(b)(2) of the Internal Revenue Code of 1986 (defining threshold amount) is amended—

(1) by inserting “(\$115,000 for taxable years beginning in 2008 or 2009, and \$150,000 for taxable years beginning in 2010)” after “\$110,000”, and

(2) by striking “\$55,000” in subparagraph (C) and inserting “½ of the amount in effect under subparagraph (A)”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2002.

SEC. 103. APPLICATION OF EGTRRA SUNSET TO THIS SECTION.

Each amendment made by this title shall be subject to title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 to the same extent and in the same manner as the provision of such Act to which such amendment relates.

TITLE II—UNIFORM DEFINITION OF CHILD

SEC. 201. UNIFORM DEFINITION OF CHILD, ETC.

Section 152 of the Internal Revenue Code of 1986 is amended to read as follows:

“SEC. 152. DEPENDENT DEFINED.

“(a) IN GENERAL.—For purposes of this subtitle, the term ‘dependent’ means—

“(1) a qualifying child, or

“(2) a qualifying relative.

“(b) EXCEPTIONS.—For purposes of this section—

“(1) DEPENDENTS INELIGIBLE.—If an individual is a dependent of a taxpayer for any taxable year of such taxpayer beginning in a calendar year, such individual shall be treated as having no dependents for any taxable year of such individual beginning in such calendar year.

“(2) MARRIED DEPENDENTS.—An individual shall not be treated as a dependent of a taxpayer under subsection (a) if such individual has made a joint return with the individual’s spouse under section 6013 for the taxable year beginning in the calendar year in which the taxable year of the taxpayer begins.

“(3) CITIZENS OR NATIONALS OF OTHER COUNTRIES.—

“(A) IN GENERAL.—The term ‘dependent’ does not include an individual who is not a citizen or national of the United States unless such individual is a resident of the United States or a country contiguous to the United States.

“(B) EXCEPTION FOR ADOPTED CHILD.—Subparagraph (A) shall not exclude any child of a taxpayer (within the meaning of subsection (f)(1)(B)) from the definition of ‘dependent’ if—

“(i) for the taxable year of the taxpayer, the child’s principal place of abode is the home of the taxpayer, and

“(ii) the taxpayer is a citizen or national of the United States.

“(c) QUALIFYING CHILD.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualifying child’ means, with respect to any taxpayer for any taxable year, an individual—

“(A) who bears a relationship to the taxpayer described in paragraph (2),

“(B) who has the same principal place of abode as the taxpayer for more than one-half of such taxable year,

“(C) who meets the age requirements of paragraph (3), and

“(D) who has not provided over one-half of such individual’s own support for the calendar year in which the taxable year of the taxpayer begins.

“(2) RELATIONSHIP TEST.—For purposes of paragraph (1)(A), an individual bears a relationship to the taxpayer described in this paragraph if such individual is—

“(A) a child of the taxpayer or a descendant of such a child, or

“(B) a brother, sister, stepbrother, or step-sister of the taxpayer or a descendant of any such relative.

“(3) AGE REQUIREMENTS.—

“(A) IN GENERAL.—For purposes of paragraph (1)(C), an individual meets the requirements of this paragraph if such individual—

“(i) has not attained the age of 19 as of the close of the calendar year in which the taxable year of the taxpayer begins, or

“(ii) is a student who has not attained the age of 24 as of the close of such calendar year.

“(B) SPECIAL RULE FOR DISABLED.—In the case of an individual who is permanently and totally disabled (as defined in section 22(e)(3)) at any time during such calendar year, the requirements of subparagraph (A) shall be treated as met with respect to such individual.

“(4) SPECIAL RULE RELATING TO 2 OR MORE CLAIMING QUALIFYING CHILD.—

“(A) IN GENERAL.—Except as provided in subparagraph (B) and subsection (e), if (but for this paragraph) an individual may be and is claimed as a qualifying child by 2 or more taxpayers for a taxable year beginning in the same calendar year, such individual shall be treated as the qualifying child of the taxpayer who is—

“(i) a parent of the individual, or

“(ii) if clause (i) does not apply, the taxpayer with the highest adjusted gross income for such taxable year.

“(B) MORE THAN 1 PARENT CLAIMING QUALIFYING CHILD.—If the parents claiming any qualifying child do not file a joint return together, such child shall be treated as the qualifying child of—

“(i) the parent with whom the child resided for the longest period of time during the taxable year, or

“(ii) if the child resides with both parents for the same amount of time during such taxable year, the parent with the highest adjusted gross income.

“(d) QUALIFYING RELATIVE.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualifying relative’ means, with respect to any taxpayer for any taxable year, an individual—

“(A) who bears a relationship to the taxpayer described in paragraph (2),

“(B) whose gross income for the calendar year in which such taxable year begins is less than the exemption amount (as defined in section 151(d)),

“(C) with respect to whom the taxpayer provides over one-half of the individual’s support for the calendar year in which such taxable year begins, and

“(D) who is not a qualifying child of such taxpayer or of any other taxpayer for any taxable year beginning in the calendar year in which such taxable year begins.

“(2) RELATIONSHIP.—For purposes of paragraph (1)(A), an individual bears a relationship to the taxpayer described in this paragraph if the individual is any of the following with respect to the taxpayer:

“(A) A child or a descendant of a child.

“(B) A brother, sister, stepbrother, or step-sister.

“(C) The father or mother, or an ancestor of either.

“(D) A stepfather or stepmother.

“(E) A son or daughter of a brother or sister of the taxpayer.

“(F) A brother or sister of the father or mother of the taxpayer.

“(G) A son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law.

“(H) An individual (other than an individual who at any time during the taxable year was the spouse, determined without regard to section 7703, of the taxpayer) who, for the taxable year of the taxpayer, has as such individual’s principal place of abode the home of the taxpayer and is a member of the taxpayer’s household.

“(3) SPECIAL RULE RELATING TO MULTIPLE SUPPORT AGREEMENTS.—For purposes of paragraph (1)(C), over one-half of the support of an individual for a calendar year shall be treated as received from the taxpayer if—

“(A) no one person contributed over one-half of such support,

“(B) over one-half of such support was received from 2 or more persons each of whom, but for the fact that any such person alone did not contribute over one-half of such support, would have been entitled to claim such individual as a dependent for a taxable year beginning in such calendar year,

“(C) the taxpayer contributed over 10 percent of such support, and

“(D) each person described in subparagraph (B) (other than the taxpayer) who contributed over 10 percent of such support files a written declaration (in such manner and form as the Secretary may by regulations prescribe) that such person will not claim such individual as a dependent for any taxable year beginning in such calendar year.

“(4) SPECIAL RULE RELATING TO INCOME OF HANDICAPPED DEPENDENTS.—

“(A) IN GENERAL.—For purposes of paragraph (1)(B), the gross income of an individual who is permanently and totally disabled (as defined in section 22(e)(3)) at any time during the taxable year shall not include income attributable to services performed by the individual at a sheltered workshop if—

“(i) the availability of medical care at such workshop is the principal reason for the individual’s presence there, and

“(ii) the income arises solely from activities at such workshop which are incident to such medical care.

“(B) SHELTERED WORKSHOP DEFINED.—For purposes of subparagraph (A), the term ‘sheltered workshop’ means a school—

“(i) which provides special instruction or training designed to alleviate the disability of the individual, and

“(ii) which is operated by an organization described in section 501(c)(3) and exempt from tax under section 501(a), or by a State, a possession of the United States, any political subdivision of any of the foregoing, the United States, or the District of Columbia.

“(5) SPECIAL SUPPORT TEST IN CASE OF STUDENTS.—For purposes of paragraph (1)(C), in the case of an individual who is—

“(A) a child of the taxpayer, and

“(B) a student,

amounts received as scholarships for study at an educational organization described in section 170(b)(1)(A)(ii) shall not be taken into account in determining whether such individual received more than one-half of such individual’s support from the taxpayer.

“(6) SPECIAL RULES FOR SUPPORT.—For purposes of this subsection—

“(A) payments to a spouse which are includible in the gross income of such spouse under section 71 or 682 shall not be treated as a payment by the payor spouse for the support of any dependent,

“(B) amounts expended for the support of a child or children shall be treated as received from the noncustodial parent (as defined in subsection (e)(3)(B)) to the extent that such parent provided amounts for such support, and

“(C) in the case of the remarriage of a parent, support of a child received from the parent’s spouse shall be treated as received from the parent.

“(e) SPECIAL RULE FOR DIVORCED PARENTS.—

“(1) IN GENERAL.—Notwithstanding subsection (c)(4) or (d)(1)(C), if—

“(A) a child receives over one-half of the child’s support during the calendar year from the child’s parents—

“(i) who are divorced or legally separated under a decree of divorce or separate maintenance,

“(ii) who are separated under a written separation agreement, or

“(iii) who live apart at all times during the last 6 months of the calendar year, and

“(B) such child is in the custody of 1 or both of the child’s parents for more than ½ of the calendar year,

such child shall be treated as being the qualifying child or qualifying relative of the noncustodial parent for a calendar year if the requirements described in paragraph (2) are met.

“(2) REQUIREMENTS.—For purposes of paragraph (1), the requirements described in this paragraph are met if—

“(A) a decree of divorce or separate maintenance or written separation agreement between the parents applicable to the taxable year beginning in such calendar year provides that—

“(i) the noncustodial parent shall be entitled to any deduction allowable under section 151 for such child, or

“(ii) the custodial parent will sign a written declaration (in such manner and form as the Secretary may prescribe) that such parent will not claim such child as a dependent for such taxable year, and

“(B) in the case of such an agreement executed before January 1, 1985, the noncustodial parent provides at least \$600 for the support of such child during such calendar year.

“(3) CUSTODIAL PARENT AND NONCUSTODIAL PARENT.—For purposes of this subsection—

“(A) CUSTODIAL PARENT.—The term ‘custodial parent’ means the parent with whom a child shared the same principal place of abode for the greater portion of the calendar year.

“(B) NONCUSTODIAL PARENT.—The term ‘noncustodial parent’ means the parent who is not the custodial parent.

“(4) EXCEPTION FOR MULTIPLE-SUPPORT AGREEMENTS.—This subsection shall not apply in any case where over one-half of the support of the child is treated as having been received from a taxpayer under the provision of subsection (d)(3).

“(f) OTHER DEFINITIONS AND RULES.—For purposes of this section—

“(1) CHILD DEFINED.—

“(A) IN GENERAL.—The term ‘child’ means an individual who is—

“(i) a son, daughter, stepson, or stepdaughter of the taxpayer, or

“(ii) an eligible foster child of the taxpayer.

“(B) ADOPTED CHILD.—In determining whether any of the relationships specified in subparagraph (A)(i) or paragraph (4) exists, a legally adopted individual of the taxpayer, or an individual who is placed with the taxpayer by an authorized placement agency for adoption by the taxpayer, shall be treated as a child of such individual by blood.

“(C) ELIGIBLE FOSTER CHILD.—For purposes of subparagraph (A)(ii), the term ‘eligible foster child’ means an individual who is placed with the taxpayer by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction.

“(2) STUDENT DEFINED.—The term ‘student’ means an individual who during each of 5 calendar months during the calendar year in which the taxable year of the taxpayer begins—

“(A) is a full-time student at an educational organization described in section 170(b)(1)(A)(ii), or

“(B) is pursuing a full-time course of institutional on-farm training under the supervision of an accredited agent of an educational organization described in section 170(b)(1)(A)(ii) or of a State or political subdivision of a State.

“(3) PLACE OF ABODE.—An individual shall not be treated as having the same principal place of abode of the taxpayer if at any time during the taxable year of the taxpayer the relationship between the individual and the taxpayer is in violation of local law.

“(4) BROTHER AND SISTER.—The terms ‘brother’ and ‘sister’ include a brother or sister by the half blood.

“(5) TREATMENT OF MISSING CHILDREN.—

“(A) IN GENERAL.—Solely for the purposes referred to in subparagraph (B), a child of the taxpayer—

“(i) who is presumed by law enforcement authorities to have been kidnapped by someone who is not a member of the family of such child or the taxpayer, and

“(ii) who had, for the taxable year in which the kidnapping occurred, the same principal place of abode as the taxpayer for more than one-half of the portion of such year before the date of the kidnapping,

shall be treated as meeting the requirement of subsection (c)(1)(B) with respect to a taxpayer for all taxable years ending during the period that the individual is kidnapped.

“(B) PURPOSES.—Subparagraph (A) shall apply solely for purposes of determining—

“(i) the deduction under section 151(c),

“(ii) the credit under section 24 (relating to child tax credit),

“(iii) whether an individual is a surviving spouse or a head of a household (as such terms are defined in section 2), and

“(iv) the earned income credit under section 32.

“(C) COMPARABLE TREATMENT OF CERTAIN QUALIFYING RELATIVES.—For purposes of this section, a child of the taxpayer—

“(i) who is presumed by law enforcement authorities to have been kidnapped by someone who is not a member of the family of such child or the taxpayer, and

“(ii) who was (without regard to this paragraph) a qualifying relative of the taxpayer for the portion of the taxable year before the date of the kidnapping,

shall be treated as a qualifying relative of the taxpayer for all taxable years ending during the period that the child is kidnapped.

“(D) TERMINATION OF TREATMENT.—Subparagraphs (A) and (C) shall cease to apply as of the first taxable year of the taxpayer beginning after the calendar year in which there is a determination that the child is dead (or, if earlier, in which the child would have attained age 18).

“(6) CROSS REFERENCES.—

“**For provision treating child as dependent of both parents for purposes of certain provisions, see sections 105(b), 132(h)(2)(B), and 213(d)(5).**”.

SEC. 202. MODIFICATIONS OF DEFINITION OF HEAD OF HOUSEHOLD.

(a) HEAD OF HOUSEHOLD.—Clause (i) of section 2(b)(1)(A) of the Internal Revenue Code of 1986 is amended to read as follows:

“(i) a qualifying child of the individual (as defined in section 152(c), determined without regard to section 152(e)), but not if such child—

“(I) is married at the close of the taxpayer’s taxable year, and

“(II) is not a dependent of such individual by reason of section 152(b)(2) or 152(b)(3), or both, or”.

(b) CONFORMING AMENDMENTS.—

(1) Section 2(b)(2) of the Internal Revenue Code of 1986 is amended by striking subparagraph (A) and by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively.

(2) Clauses (i) and (ii) of section 2(b)(3)(B) of such Code are amended to read as follows:

“(i) subparagraph (H) of section 152(d)(2), or

“(ii) paragraph (3) of section 152(d).”.

SEC. 203. MODIFICATIONS OF DEPENDENT CARE CREDIT.

(a) IN GENERAL.—Section 21(a)(1) of the Internal Revenue Code of 1986 is amended by striking “In the case of an individual who maintains a household which includes as a member one or more qualifying individuals (as defined in subsection (b)(1))” and inserting “In the case of an individual for which there are 1 or more qualifying individuals (as defined in subsection (b)(1)) with respect to such individual”.

(b) QUALIFYING INDIVIDUAL.—Paragraph (1) of section 21(b) of the Internal Revenue Code of 1986 is amended to read as follows:

“(1) QUALIFYING INDIVIDUAL.—The term ‘qualifying individual’ means—

“(A) a dependent of the taxpayer (as defined in section 152(a)(1)) who has not attained age 13,

“(B) a dependent of the taxpayer who is physically or mentally incapable of caring for himself or herself and who has the same principal place of abode as the taxpayer for more than one-half of such taxable year, or

“(C) the spouse of the taxpayer, if the spouse is physically or mentally incapable of caring for himself or herself and who has the same principal place of abode as the taxpayer for more than one-half of such taxable year.”.

(c) CONFORMING AMENDMENT.—Paragraph (1) of section 21(e) of the Internal Revenue Code of 1986 is amended to read as follows:

“(1) PLACE OF ABODE.—An individual shall not be treated as having the same principal place of abode of the taxpayer if at any time during the taxable year of the taxpayer the relationship between the individual and the taxpayer is in violation of local law.”.

SEC. 204. MODIFICATIONS OF CHILD TAX CREDIT.

(a) IN GENERAL.—Paragraph (1) of section 24(c) of the Internal Revenue Code of 1986 is amended to read as follows:

“(1) IN GENERAL.—The term ‘qualifying child’ means a qualifying child of the taxpayer (as defined in section 152(c)) who has not attained age 17.”.

(b) CONFORMING AMENDMENT.—Section 24(c)(2) of the Internal Revenue Code of 1986 is amended by striking “the first sentence of section 152(b)(3)” and inserting “subparagraph (A) of section 152(b)(3)”.

SEC. 205. MODIFICATIONS OF EARNED INCOME CREDIT.

(a) QUALIFYING CHILD.—Paragraph (3) of section 32(c) of the Internal Revenue Code of 1986 is amended to read as follows:

“(3) QUALIFYING CHILD.—

“(A) IN GENERAL.—The term ‘qualifying child’ means a qualifying child of the taxpayer (as defined in section 152(c), determined without regard to paragraph (1)(D) thereof and section 152(e)).

“(B) MARRIED INDIVIDUAL.—The term ‘qualifying child’ shall not include an individual who

is married as of the close of the taxpayer’s taxable year unless the taxpayer is entitled to a deduction under section 151 for such taxable year with respect to such individual (or would be so entitled but for section 152(e)).

“(C) PLACE OF ABODE.—For purposes of subparagraph (A), the requirements of section 152(c)(1)(B) shall be met only if the principal place of abode is in the United States.

“(D) IDENTIFICATION REQUIREMENTS.—

“(i) IN GENERAL.—A qualifying child shall not be taken into account under subsection (b) unless the taxpayer includes the name, age, and TIN of the qualifying child on the return of tax for the taxable year.

“(ii) OTHER METHODS.—The Secretary may prescribe other methods for providing the information described in clause (i).”.

(b) CONFORMING AMENDMENTS.—

(1) Section 32(c)(1) of the Internal Revenue Code of 1986 is amended by striking subparagraph (C) and by redesignating subparagraphs (D), (E), (F), and (G) as subparagraphs (C), (D), (E), and (F), respectively.

(2) Section 32(c)(4) of such Code is amended by striking “(3)(E)” and inserting “(3)(C)”.

(3) Section 32(m) of such Code is amended by striking “subsections (c)(1)(F)” and inserting “subsections (c)(1)(E)”.

SEC. 206. MODIFICATIONS OF DEDUCTION FOR PERSONAL EXEMPTION FOR DEPENDENTS.

Subsection (c) of section 151 of the Internal Revenue Code of 1986 is amended to read as follows:

“(c) ADDITIONAL EXEMPTION FOR DEPENDENTS.—An exemption of the exemption amount for each individual who is a dependent (as defined in section 152) of the taxpayer for the taxable year.”.

SEC. 207. TECHNICAL AND CONFORMING AMENDMENTS.

(1) Section 2(a)(1)(B)(i) of such Code is amended by inserting “, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof” after “section 152”.

(2) Section 21(e)(5) of the Internal Revenue Code of 1986 is amended—

(A) by striking “paragraph (2) or (4) of” in subparagraph (A), and

(B) by striking “within the meaning of section 152(e)(1)” and inserting “as defined in section 152(e)(3)(A)”.

(3) Section 21(e)(6)(B) of such Code is amended by striking “section 151(c)(3)” and inserting “section 152(f)(1)”.

(4) Section 25B(c)(2)(B) of such Code is amended by striking “151(c)(4)” and inserting “152(f)(2)”.

(5)(A) Subparagraphs (A) and (B) of section 51(i)(1) of such Code are each amended by striking “paragraphs (1) through (8) of section 152(a)” both places it appears and inserting “subparagraphs (A) through (G) of section 152(d)(2)”.

(B) Section 51(i)(1)(C) of such Code is amended by striking “152(a)(9)” and inserting “152(d)(2)(H)”.

(6) Section 72(t)(2)(D)(i)(III) of such Code is amended by inserting “, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof” after “section 152”.

(7) Section 72(t)(7)(A)(iii) of such Code is amended by striking “151(c)(3)” and inserting “152(f)(1)”.

(8) Section 42(i)(3)(D)(ii)(I) of such Code is amended by inserting “, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof” after “section 152”.

(9) Subsections (b) and (c)(1) of section 105 of such Code are amended by inserting “, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof” after “section 152”.

(10) Section 120(d)(4) of such Code is amended by inserting “(determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof)” after “section 152”.

(11) Section 125(e)(1)(D) of such Code is amended by inserting “, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof” after “section 152”.

(12) Section 129(c)(2) of such Code is amended by striking “151(c)(3)” and inserting “152(f)(1)”.

(13) The first sentence of section 132(h)(2)(B) of such Code is amended by striking “151(c)(3)” and inserting “152(f)(1)”.

(14) Section 153 of such Code is amended by striking paragraph (1) and by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively.

(15) Section 170(g)(1) of such Code is amended by inserting “(determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof)” after “section 152”.

(16) Section 170(g)(3) of such Code is amended by striking “paragraphs (1) through (8) of section 152(a)” and inserting “subparagraphs (A) through (G) of section 152(d)(2)”.

(17) Section 213(a) of such Code is amended by inserting “, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof” after “section 152”.

(18) The second sentence of section 213(d)(11) of such Code is amended by striking “paragraphs (1) through (8) of section 152(a)” and inserting “subparagraphs (A) through (G) of section 152(d)(2)”.

(19) Section 220(d)(2)(A) of such Code is amended by inserting “, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof” after “section 152”.

(20) Section 221(d)(4) of such Code is amended by inserting “(determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof)” after “section 152”.

(21) Section 529(e)(2)(B) of such Code is amended by striking “paragraphs (1) through (8) of section 152(a)” and inserting “subparagraphs (A) through (G) of section 152(d)(2)”.

(22) Section 2032A(c)(7)(D) of such Code is amended by striking “section 151(c)(4)” and inserting “section 152(f)(2)”.

(23) Section 2057(d)(2)(B) of such Code is amended by inserting “, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof” after “section 152”.

(24) Section 7701(a)(17) of such Code is amended by striking “152(b)(4), 682,” and inserting “682”.

(25) Section 7702B(f)(2)(C)(iii) of such Code is amended by striking “paragraphs (1) through (8) of section 152(a)” and inserting “subparagraphs (A) through (G) of section 152(d)(2)”.

(26) Section 7703(b)(1) of such Code is amended—

(A) by striking “151(c)(3)” and inserting “152(f)(1)”, and

(B) by striking “paragraph (2) or (4) of”.

SEC. 208. EFFECTIVE DATE.

The amendments made by this title shall apply to taxable years beginning after December 31, 2003.

TITLE III—CUSTOMS USER FEES

SEC. 301. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by striking “September 30, 2003” and inserting “March 31, 2010”.

Amend the title so as to read: “An Act to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, and for other purposes.”.

The text of the House amendment to the Senate amendments is as follows:

House amendment to Senate amendments:
In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the “All-American Tax Relief Act of 2003”.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in

this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title, etc.

TITLE I—CHILD TAX CREDIT

Sec. 101. Expansion of child tax credit.

TITLE II—ARMED FORCES TAX FAIRNESS

Sec. 201. Special rule for members of uniformed services and Foreign Service in determining exclusion of gain from sale of principal residence.

Sec. 202. Restoration of full exclusion from gross income of death gratuity payment.

Sec. 203. Exclusion for amounts received under Department of Defense homeowners assistance program.

Sec. 204. Expansion of combat zone filing rules to contingency operations.

Sec. 205. Modification of membership requirement for exemption from tax for certain veterans' organizations.

Sec. 206. Clarification of the treatment of certain dependent care assistance programs.

Sec. 207. Clarification relating to exception from additional tax on certain distributions from qualified tuition programs, etc., on account of attendance at military academy.

Sec. 208. Above-the-line deduction for overnight travel expenses of National Guard and Reserve members.

TITLE III—SUSPENSION OF TAX-EXEMPT STATUS OF TERRORIST ORGANIZATIONS

Sec. 301. Suspension of tax-exempt status of terrorist organizations.

TITLE IV—RELIEF FOR ASTRONAUTS

Sec. 401. Tax relief and assistance for families of astronauts who lose their lives on a space mission.

TITLE I—CHILD TAX CREDIT

SEC. 101. EXPANSION OF CHILD TAX CREDIT.

(a) CREDIT REFUNDABILITY.—Clause (i) of section 24(d)(1)(B) (relating to portion of credit refundable) is amended by striking “(10 percent in the case of taxable years beginning before January 1, 2005)”.

(b) INCREASE IN CREDIT THROUGH 2010.—Subsection (a) of section 24 (relating to child tax credit) is amended to read as follows:

“(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year with respect to each qualifying child of the taxpayer an amount equal to \$1,000.”.

(c) REMOVAL OF MARRIAGE PENALTY IN PHASEOUT THRESHOLDS.—Paragraph (2) of section 24(b) is amended to read as follows:

“(2) THRESHOLD AMOUNT.—For purposes of paragraph (1), the term ‘threshold amount’ means \$75,000 (\$150,000 in the case of a joint return).”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2002.

(e) APPLICATION OF EGTRRA SUNSET.—Each amendment made by this section shall be subject to title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 to the same extent and in the same manner as section 201 of such Act.

TITLE II—ARMED FORCES TAX FAIRNESS

SEC. 201. SPECIAL RULE FOR MEMBERS OF UNIFORMED SERVICES AND FOREIGN SERVICE IN DETERMINING EXCLUSION OF GAIN FROM SALE OF PRINCIPAL RESIDENCE.

(a) IN GENERAL.—Subsection (d) of section 121 (relating to exclusion of gain from sale of principal residence) is amended by adding at the end the following new paragraph:

“(10) MEMBERS OF UNIFORMED SERVICES AND FOREIGN SERVICE.—

“(A) IN GENERAL.—At the election of an individual with respect to a property, the running of the 5-year period referred to in subsections (a) and (c)(1)(B) and paragraph (7) of this subsection with respect to such property shall be suspended during any period that such individual or such individual's spouse is serving on qualified official extended duty as a member of the uniformed services or as a member of the Foreign Service.

“(B) MAXIMUM PERIOD OF SUSPENSION.—Such 5-year period shall not be extended more than 5 years by reason of subparagraph (A).

“(C) QUALIFIED OFFICIAL EXTENDED DUTY.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘qualified official extended duty’ means any extended duty while serving at a duty station which is at least 150 miles from such property or while residing under Government orders in Government quarters.

“(ii) UNIFORMED SERVICES.—The term ‘uniformed services’ has the meaning given such term by section 101(a)(5) of title 10, United States Code, as in effect on the date of the enactment of this paragraph.

“(iii) FOREIGN SERVICE.—The term ‘member of the Foreign Service’ has the meaning given the term ‘member of the Service’ by paragraph (1), (2), (3), (4), or (5) of section 103 of the Foreign Service Act of 1980, as in effect on the date of the enactment of this paragraph.

“(iv) EXTENDED DUTY.—The term ‘extended duty’ means any period of active duty pursuant to a call or order to such duty for a period in excess of 180 days or for an indefinite period.

“(D) SPECIAL RULES RELATING TO ELECTION.—

“(i) ELECTION LIMITED TO 1 PROPERTY AT A TIME.—An election under subparagraph (A) with respect to any property may not be made if such an election is in effect with respect to any other property.

“(ii) REVOCATION OF ELECTION.—An election under subparagraph (A) may be revoked at any time.”.

(b) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the amendments made by section 312 of the Taxpayer Relief Act of 1997.

(2) WAIVER OF LIMITATIONS.—If refund or credit of any overpayment of tax resulting from the amendment made by this section is prevented at any time before the close of the 1-year period beginning on the date of the enactment of this Act by the operation of any law or rule of law (including res judicata), such refund or credit may nevertheless be made or allowed if claim therefor is filed before the close of such period.

SEC. 202. RESTORATION OF FULL EXCLUSION FROM GROSS INCOME OF DEATH GRATUITY PAYMENT.

(a) IN GENERAL.—Paragraph (3) of section 134(b) (relating to qualified military benefit) is amended by adding at the end the following new subparagraph:

“(C) EXCEPTION FOR DEATH GRATUITY ADJUSTMENTS MADE BY LAW.—Subparagraph (A) shall not apply to any adjustment to the amount of death gratuity payable under chapter 75 of title 10, United States Code,

which is pursuant to a provision of law enacted before December 31, 1991.”.

(b) CONFORMING AMENDMENT.—Section 134(b)(3)(A) is amended by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to deaths occurring after September 10, 2001.

SEC. 203. EXCLUSION FOR AMOUNTS RECEIVED UNDER DEPARTMENT OF DEFENSE HOMEOWNERS ASSISTANCE PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 132 (relating to certain fringe benefits) is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “, or” and by adding at the end the following new paragraph:

“(8) qualified military base realignment and closure fringe.”.

(b) QUALIFIED MILITARY BASE REALIGNMENT AND CLOSURE FRINGE.—Section 132 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

“(n) QUALIFIED MILITARY BASE REALIGNMENT AND CLOSURE FRINGE.—

“(1) IN GENERAL.—For purposes of this section, the term ‘qualified military base realignment and closure fringe’ means 1 or more payments under the authority of section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (as in effect on the date of the enactment of this subsection).

“(2) LIMITATION.—With respect to any property, such term shall not include any payment referred to in paragraph (1) to the extent that the sum of all such payments related to such property exceeds the amount described in clause (1) of subsection (c) of such section (as in effect on such date).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to payments made after the date of the enactment of this Act.

SEC. 204. EXPANSION OF COMBAT ZONE FILING RULES TO CONTINGENCY OPERATIONS.

(a) IN GENERAL.—Subsection (a) of section 7508 (relating to time for performing certain acts postponed by reason of service in combat zone) is amended—

(1) by inserting “or when deployed outside the United States away from the individual’s permanent duty station while participating in an operation designated by the Secretary of Defense as a contingency operation (as defined in section 101(a)(13) of title 10, United States Code) or which became such a contingency operation by operation of law” after “section 112”;

(2) by inserting in the first sentence “or at any time during the period of such contingency operation” after “for purposes of such section”;

(3) by inserting “or operation” after “such an area”, and

(4) by inserting “or operation” after “such area”.

(b) CONFORMING AMENDMENTS.—

(1) Section 7508(d) is amended by inserting “or contingency operation” after “area”.

(2) The heading for section 7508 is amended by inserting “OR CONTINGENCY OPERATION” after “COMBAT ZONE”.

(3) The item relating to section 7508 in the table of sections for chapter 77 is amended by inserting “or contingency operation” after “combat zone”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any period for performing an act which has not expired before the date of the enactment of this Act.

SEC. 205. MODIFICATION OF MEMBERSHIP REQUIREMENT FOR EXEMPTION FROM TAX FOR CERTAIN VETERANS’ ORGANIZATIONS.

(a) IN GENERAL.—Subparagraph (B) of section 501(c)(19) (relating to list of exempt organizations) is amended by striking “or widowers” and inserting “, widowers, ancestors, or lineal descendants”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 206. CLARIFICATION OF THE TREATMENT OF CERTAIN DEPENDENT CARE ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Subsection (b) of section 134 (defining qualified military benefit) is amended by adding at the end the following new paragraph:

“(4) CLARIFICATION OF CERTAIN BENEFITS.—For purposes of paragraph (1), such term includes any dependent care assistance program (as in effect on the date of the enactment of this paragraph) for any individual described in paragraph (1)(A).”.

(b) CONFORMING AMENDMENTS.—

(1) Section 134(b)(3)(A) (as amended by section 202) is further amended by inserting “and paragraph (4)” after “subparagraphs (B) and (C)”.

(2) Section 3121(a)(18) is amended by striking “or 129” and inserting “, 129, or 134(b)(4)”.

(3) Section 3306(b)(13) is amended by striking “or 129” and inserting “, 129, or 134(b)(4)”.

(4) Section 3401(a)(18) is amended by striking “or 129” and inserting “, 129, or 134(b)(4)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2002.

SEC. 207. CLARIFICATION RELATING TO EXEMPTION FROM ADDITIONAL TAX ON CERTAIN DISTRIBUTIONS FROM QUALIFIED TUITION PROGRAMS, ETC., ON ACCOUNT OF ATTENDANCE AT MILITARY ACADEMY.

(a) IN GENERAL.—Subparagraph (B) of section 530(d)(4) (relating to exceptions from additional tax for distributions not used for educational purposes) is amended by striking “or” at the end of clause (iii), by redesignating clause (iv) as clause (v), and by inserting after clause (iii) the following new clause:

“(iv) made on account of the attendance of the designated beneficiary at the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, the United States Coast Guard Academy, or the United States Merchant Marine Academy, to the extent that the amount of the payment or distribution does not exceed the costs of advanced education (as defined by section 2005(e)(3) of title 10, United States Code, as in effect on the date of the enactment of this section) attributable to such attendance, or”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect for taxable years beginning after December 31, 2002.

SEC. 208. ABOVE-THE-LINE DEDUCTION FOR OVERNIGHT TRAVEL EXPENSES OF NATIONAL GUARD AND RESERVE MEMBERS.

(a) DEDUCTION ALLOWED.—Section 162 (relating to certain trade or business expenses) is amended by redesignating subsection (p) as subsection (q) and inserting after subsection (o) the following new subsection:

“(p) TREATMENT OF EXPENSES OF MEMBERS OF RESERVE COMPONENT OF ARMED FORCES OF THE UNITED STATES.—For purposes of subsection (a)(2), in the case of an individual who performs services as a member of a reserve component of the Armed Forces of the

United States at any time during the taxable year, such individual shall be deemed to be away from home in the pursuit of a trade or business for any period during which such individual is away from home in connection with such services.”.

(b) DEDUCTION ALLOWED WHETHER OR NOT TAXPAYER ELECTS TO ITEMIZE.—Paragraph (2) of section 62(a) (relating to certain trade and business deductions of employees) is amended by adding at the end the following new subparagraph:

“(E) CERTAIN EXPENSES OF MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES.—The deductions allowed by section 162 which consist of expenses, not in excess of \$1,500, paid or incurred by the taxpayer in connection with the performance of services by such taxpayer as a member of a reserve component of the Armed Forces of the United States for any period during which such individual is more than 100 miles away from home in connection with such services.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2002.

TITLE III—SUSPENSION OF TAX-EXEMPT STATUS OF TERRORIST ORGANIZATIONS

SEC. 301. SUSPENSION OF TAX-EXEMPT STATUS OF TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Section 501 (relating to exemption from tax on corporations, certain trusts, etc.) is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

“(p) SUSPENSION OF TAX-EXEMPT STATUS OF TERRORIST ORGANIZATIONS.—

“(1) IN GENERAL.—The exemption from tax under subsection (a) with respect to any organization described in paragraph (2), and the eligibility of any organization described in paragraph (2) to apply for recognition of exemption under subsection (a), shall be suspended during the period described in paragraph (3).

“(2) TERRORIST ORGANIZATIONS.—An organization is described in this paragraph if such organization is designated or otherwise individually identified—

“(A) under section 212(a)(3)(B)(vi)(II) or 219 of the Immigration and Nationality Act as a terrorist organization or foreign terrorist organization,

“(B) in or pursuant to an Executive order which is related to terrorism and issued under the authority of the International Emergency Economic Powers Act or section 5 of the United Nations Participation Act of 1945 for the purpose of imposing on such organization an economic or other sanction, or

“(C) in or pursuant to an Executive order issued under the authority of any Federal law if—

“(i) the organization is designated or otherwise individually identified in or pursuant to such Executive order as supporting or engaging in terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act) or supporting terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989); and

“(ii) such Executive order refers to this subsection.

“(3) PERIOD OF SUSPENSION.—With respect to any organization described in paragraph (2), the period of suspension—

“(A) begins on the later of—

“(i) the date of the first publication of a designation or identification described in paragraph (2) with respect to such organization, or

“(ii) the date of the enactment of this subsection, and

"(B) ends on the first date that all designations and identifications described in paragraph (2) with respect to such organization are rescinded pursuant to the law or Executive order under which such designation or identification was made.

"(4) DENIAL OF DEDUCTION.—No deduction shall be allowed under section 170, 545(b)(2), 556(b)(2), 642(c), 2055, 2106(a)(2), or 2522 for any contribution to an organization described in paragraph (2) during the period described in paragraph (3).

"(5) DENIAL OF ADMINISTRATIVE OR JUDICIAL CHALLENGE OF SUSPENSION OR DENIAL OF DEDUCTION.—Notwithstanding section 7428 or any other provision of law, no organization or other person may challenge a suspension under paragraph (1), a designation or identification described in paragraph (2), the period of suspension described in paragraph (3), or a denial of a deduction under paragraph (4) in any administrative or judicial proceeding relating to the Federal tax liability of such organization or other person.

"(6) ERRONEOUS DESIGNATION.—

"(A) IN GENERAL.—If—

"(i) the tax exemption of any organization described in paragraph (2) is suspended under paragraph (1),

"(ii) each designation and identification described in paragraph (2) which has been made with respect to such organization is determined to be erroneous pursuant to the law or Executive order under which such designation or identification was made, and

"(iii) the erroneous designations and identifications result in an overpayment of income tax for any taxable year by such organization,

credit or refund (with interest) with respect to such overpayment shall be made.

"(B) WAIVER OF LIMITATIONS.—If the credit or refund of any overpayment of tax described in subparagraph (A)(iii) is prevented at any time by the operation of any law or rule of law (including res judicata), such credit or refund may nevertheless be allowed or made if the claim therefor is filed before the close of the 1-year period beginning on the date of the last determination described in subparagraph (A)(ii).

"(7) NOTICE OF SUSPENSIONS.—If the tax exemption of any organization is suspended under this subsection, the Internal Revenue Service shall update the listings of tax-exempt organizations and shall publish appropriate notice to taxpayers of such suspension and of the fact that contributions to such organization are not deductible during the period of such suspension."

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to designations made before, on, or after the date of the enactment of this Act.

TITLE IV—RELIEF FOR ASTRONAUTS

SEC. 401. TAX RELIEF AND ASSISTANCE FOR FAMILIES OF ASTRONAUTS WHO LOSE THEIR LIVES ON A SPACE MISSION.

(a) INCOME TAX RELIEF.—

(1) IN GENERAL.—Subsection (d) of section 692 (relating to income taxes of members of Armed Forces and victims of certain terrorist attacks on death) is amended by adding at the end the following new paragraph:

"(5) RELIEF WITH RESPECT TO ASTRONAUTS.—The provisions of this subsection shall apply to any astronaut whose death occurs while on a space mission, except that paragraph (3)(B) shall be applied by using the date of the death of the astronaut rather than September 11, 2001."

(2) CONFORMING AMENDMENTS.—

(A) Section 5(b)(1) is amended by inserting "astronauts," after "Forces".

(B) Section 6013(f)(2)(B) is amended by inserting "astronauts," after "Forces".

(3) CLERICAL AMENDMENTS.—

(A) The heading of section 692 is amended by inserting "ASTRONAUTS," after "FORCES".

(B) The item relating to section 692 in the table of sections for part II of subchapter J of chapter 1 is amended by inserting "astronauts," after "Forces".

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to any astronaut whose death occurs after December 31, 2002.

(b) DEATH BENEFIT RELIEF.—

(1) IN GENERAL.—Subsection (i) of section 101 (relating to certain death benefits) is amended by adding at the end the following new paragraph:

"(4) RELIEF WITH RESPECT TO ASTRONAUTS.—The provisions of this subsection shall apply to any astronaut whose death occurs while on a space mission."

(2) CLERICAL AMENDMENT.—The heading for subsection (i) of section 101 is amended by inserting "OR ASTRONAUTS" after "VICTIMS".

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to amounts paid after December 31, 2002, with respect to deaths occurring after such date.

(c) ESTATE TAX RELIEF.—

(1) IN GENERAL.—Subsection (b) of section 2201 (defining qualified decedent) is amended by striking "and" at the end of paragraph (1)(B), by striking the period at the end of paragraph (2) and inserting "and", and by adding at the end the following new paragraph:

"(3) any astronaut whose death occurs while on a space mission."

(2) CLERICAL AMENDMENTS.—

(A) The heading of section 2201 is amended by inserting "DEATHS OF ASTRONAUTS," after "FORCES".

(B) The item relating to section 2201 in the table of sections for subchapter C of chapter 11 is amended by inserting "deaths of astronauts," after "Forces".

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to estates of decedents dying after December 31, 2002.

In lieu of the matter inserted by the Senate to the long title of the bill, insert the following: "An Act to amend the Internal Revenue Code of 1986 to enhance fairness in the internal revenue laws, and for other purposes."

□ 1730

APPOINTMENT OF CONFEREES

Mr. THOMAS. Mr. Speaker, pursuant to House Resolution 270, I move to take from the Speaker's table the House amendment to the Senate amendment to the bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification, and for other purposes, insist on the House amendment, and request a conference with the Senate thereon.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SWEENEY). Without objection, the motion is agreed to.

Mr. RANGEL. Mr. Speaker, reserving the right to object, it is my understanding that the chairman of the Committee on Ways and Means has the opportunity to be recognized for 1 hour debate, and I want to know whether that was included in his request, which I understand from the Parliamentarian the gentleman is entitled to, to discuss this issue.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. RANGEL. I yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I have requested the hour.

Mr. RANGEL. Mr. Speaker, I remove my reservation of objection.

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) is recognized for 1 hour.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in the 1 hour time I have, I would indicate to my colleagues that based upon the very lively debate that occurred on the rule, I believe the positions have been completely illuminated, and that when I ask for the previous question, the minority has the right to move the motion to instruct.

Having been given the motion to instruct, I would tell my friends that I can live up to almost all of these provisions and intend to do so, and, therefore, any time that this House takes in debating the motion to instruct will be the time that the minority has on the motion to instruct, because the majority intends to move the previous question and indicates that it does not intend to use any of the time on the motion to instruct, and, therefore, the time at which the House adjourns today will be entirely in the hands of the minority.

Mr. Speaker, I move the previous question.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

PARLIAMENTARY INQUIRY

Mr. RANGEL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANGEL. Mr. Speaker, could the Parliamentarian or the Speaker tell me, does the eloquent statement made by the chairman of the Committee on Ways and Means mean that he did not intend to use the hour of debate that he has?

The SPEAKER pro tempore. The gentleman from California has moved the previous question.

Is there objection to ordering the previous question?

Mr. RANGEL. No, I made a parliamentary inquiry. I was not objecting to the previous question. I asked whether or not what the gentleman said meant that he did not intend to debate.

The SPEAKER pro tempore. If the House orders the previous question by unanimous consent, that will end debate.

Without objection, the previous question is ordered on the motion to go to conference.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS).

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. RANGEL.

Mr. RANGEL. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. RANGEL moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the *Columbia* disaster.

Mr. RANGEL (during the reading). Mr. Speaker, I ask unanimous consent that the motion to instruct be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. Pursuant to rule XXII, the gentleman from New York (Mr. RANGEL) and the gentleman from California (Mr. THOMAS) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

One, the House conferees shall be instructed to include in the conference report the provision of the Senate amendment that is not included in the House amendment that provides immediate payment to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payment under the Jobs and Growth Tax Reconciliation Act of 2003.

Two, the House conferees be instructed to include in the conference report the provision of the Senate amendment, that is not included in the House amendment, that provides families of the military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

Three, the House conferees be instructed to include in the conference

report all of the other provisions of the Senate amendment and shall report back a conference report that includes additional tax benefits not offset by other provisions.

Four, to the maximum extent possible within the scope of the conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the *Columbia* disaster.

Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN), a distinguished member of the Committee on Ways and Means.

Mr. CARDIN. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, working families that make between \$10,000 and \$26,000 a year were left out of the tax bill that was recently signed by the President. These are people who pay taxes, Mr. Speaker. They pay sales taxes, they pay property taxes, they pay excise taxes, they pay FICA taxes. In fact, many of them pay a greater percentage of their income in taxes than the wealthy people who got the benefits of the recently enacted tax bill.

To correct this oversight, it will cost a modest amount of money, about 1 percent of what it cost in the recent tax bill. We have a Senate bill that corrects this. It is fully paid for. It passed the other body by a vote of 94-to-2. It is supported by the President of the United States. Why are we not taking this bill up? But for the leadership in this House, the Republican leadership, we could have passed this bill tonight.

What this motion says, Mr. Speaker, is that we support the effort of the other body so that we could correct this bill now. This is a vote to help those working families. This is a vote to help the military families. This is a vote to say that we do not want to follow what the Republican leader has said, which is "This ain't going to happen." We want it to happen, and our motion allows it to happen.

I urge my fellow Members to support the effort in the other body, support the President in saying that he would sign this legislation. This is our opportunity to do it.

Mr. Speaker, I just urge my colleagues not to hold low-wage worker families hostage to the notion that we have to do a lot more that is not going to happen in order for them to get the same type of tax relief that was provided to high-income families in the bill that was signed by the President.

This is the right thing for us to do. I urge my colleagues to support the motion to instruct.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMAS. Mr. Speaker, notwithstanding the language of the motion to instruct, which says "I move that," and three of the four provisions that

say "The House conferees shall be instructed to," is the gentleman from California correct in understanding that the motion to instruct does not in any way bind or dictate to the conferees?

The SPEAKER pro tempore. Motions to instruct are not necessarily binding on the conferees.

Mr. THOMAS. Mr. Speaker, if in fact the motion to instruct is not binding, I would tell my friends we are ready to accept this motion. I will reserve my time, and whenever you are ready to move the question for a vote, since it is not binding, we are ready to go.

Mr. FRANK of Massachusetts. Mr. Speaker, point of order. This is not a parliamentary inquiry.

Mr. THOMAS. Mr. Speaker, I am on my time. Does the gentleman from Massachusetts now wish to deny me the time that is mine?

The SPEAKER pro tempore. The gentleman will suspend.

Does the gentleman from California (Mr. THOMAS) yield himself time?

Mr. THOMAS. I certainly do.

The SPEAKER pro tempore. The gentleman from California is recognized.

Mr. THOMAS. As I was saying, since this motion to instruct is not in any way binding on the conferees, the gentleman from California awaits the awarding of the motion to instruct, and it can either be now and we can vote on it, or you can exhaust your time and we can vote on it. The effect is the same.

Therefore, I reserve the balance of my time until they exhaust theirs or move for a vote.

Mr. Speaker, I reserve the balance of my time.

Mr. RANGEL. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I apologize to the gentleman from California. I know he is very thick-skinned, so he did not mind. But he had been speaking under the guise of a parliamentary inquiry, and he was not making a parliamentary inquiry, although the parliamentary inquiry made was about a rule which has been in effect ever since he got here, and I was surprised he had forgotten it. But he did not say he was going to use his time. I did want to clarify. Apparently he decided to use his time to tell us he did not plan to use his time.

I think it is somewhat unfortunate that, having shut off debate, having refused to allow an amendment, he is suggesting that it is somehow improper for Members on our side to talk about the substance. He has said that he will accept the instruction, having made it clear with his usual consideration for other opinions that having accepted it in the vote, he plans to disregard it in the conference.

So we continue to think it is important to point out the difference between what we want to do, provide real help to poor children, and what he plans to do.

□ 1745

Mr. RANGEL. Mr. Speaker, in the interests of saving time, I ask unanimous consent that H.R. 1308 and H.R. 1307, both passed by the Senate, be considered and accepted by the House, and that way we can send the bill immediately to the President and we can get out of here early, without amendment, of course.

The SPEAKER pro tempore (Mr. SWEENEY). The Chair is unable to entertain that request under the Speaker's guidelines recorded on page 712 of the House Rules and Manual.

Mr. RANGEL. I am sorry. I cannot hear what the Speaker is saying.

The SPEAKER pro tempore. The Speaker's guidelines for recognition do not allow the Chair to recognize for that request.

Mr. RANGEL. Not for unanimous consent, without objection from the chairman of the distinguished Committee on Ways and Means? He does not object.

The SPEAKER pro tempore. The gentleman is correct.

Mr. RANGEL. I am correct? I can do it? What is it?

The SPEAKER pro tempore. The gentleman is correct that the Chair is unable to entertain that request.

PARLIAMENTARY INQUIRY

Mr. RANGEL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANGEL. Mr. Speaker, if I ask for unanimous consent and no one objects, would the Parliamentarian tell me why I cannot be recognized?

The SPEAKER pro tempore. The Speaker has announced and enforced a policy of conferring recognition for unanimous consent requests for consideration of bills and resolutions only when assured that the majority and minority floor and committee leaderships have no objection.

Mr. RANGEL. Mr. Speaker, if the gentleman from California (Mr. THOMAS) does not say anything, Mr. Speaker, then there is no objection. So, I have unanimous consent until such time as he objects.

The SPEAKER pro tempore. The Chair has not been apprised of the requisite clearances to entertain such a request.

Mr. RANGEL. Well, could I ask unanimous consent that the chairman of the Committee on Ways and Means be given an opportunity to instruct the Speaker that he has no objection to accepting the Senate bill as passed?

The SPEAKER pro tempore. The Chair would inform the gentleman that that is not a proper unanimous consent request.

Mr. RANGEL. Well, the chairman of the Committee on Ways and Means knows that we will not allow parliamentary obstacles to move this bill that the Senate has passed in a bipartisan way and that the President has supported it. Now, I know a lot of time

and money has gone into building up this \$82 billion, but since the distinguished chairman has said that he wants to move this bill swiftly and the initial bill only cost \$3.5 billion, if we knock off the \$72 billion put on the Senate bill, it would seem to me, even with a little help from the Parliamentarian, that we could expedite this bill by not instructing the conferees to do anything which the chairman already has indicated he does not intend to do but, rather, to just have it pass as is. I do not know why we cannot do this. But I will get the Parliamentarian and get together with the chairman and see what we can do to expedite this.

Meanwhile, Mr. Speaker, I yield 2 minutes to the gentleman from the sovereign State of California (Mr. MATSUI), the distinguished senior member of the Committee on Ways and Means.

Mr. MATSUI. Mr. Speaker, I thank the gentleman from New York, the ranking Democrat on the Committee on Ways and Means, for yielding me this time.

I can understand why the majority does not want to debate this issue. Perhaps he wants to catch a plane to California, I do not know. But I can understand why he would not want to debate this issue, given the fact that the President of the United States and the U.S. Senate, on a 94 to 2 vote, basically came up with a bill that was totally different. It basically paid for its tax cuts and, at the same time, it tried to restrict itself basically to the main issue, that is, taking care of families that make between \$10,000 and \$26,000 a year.

I might just for a moment go back to May 23 when the conference report was passed. As my colleagues know, the big issue on that bill was the dividend reduction and the capital gains tax reduction. At the same time, as we know, that bill also took out from the other body the provision that would have taken care of people that made families that made between \$10,000 and \$26,000 a year, a measly tax credit of \$150 to \$400.

At the same time, what this bill did, Mr. Speaker, it might be kind of interesting to really discuss why there is a lot of concern about this. We looked at the FCC filings of the annual report of Microsoft Corporation. Bill Gates, and this is not anything about Bill Gates, but Bill Gates will get, under the bill that passed, that became law on May 23, \$14,538,000; \$14 million. Sandy Weill, again, somebody who is a good person, Citicorp, will get \$2.7 million.

What is very interesting, what is very interesting, Mr. Speaker, if we would have just taken that \$14 million from Bill Gates and given it to families that earn between \$10,000 and \$26,000 a year, we could have taken care of 52,000 families.

So I can understand why the majority does not want to discuss this; I can understand why they do not want to see this have the light of day, because they are really taking care of people

that do not need the money. This will not help the economy of the United States. It is basically just game-playing, and it is really unfortunate that this is happening. This bill will not become law because the other body will ensure it does not become law because it is not paid for. I would have hoped that we would have adopted the other body's legislation.

Mr. RANGEL. Mr. Speaker, the gentleman from California, nobody wants to dispute anything we say?

The SPEAKER pro tempore. The gentleman from California continues to reserve his time. The gentleman from New York is recognized.

Mr. RANGEL. Then Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN), a distinguished member of the Committee on Ways and Means.

Mr. LEVIN. Mr. Speaker, I want to refer to the motion. It says in paragraph 3, if the chairman, the distinguished chairman would listen, "The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that would result in increased deficits by reason of additional tax benefits not offset by other provisions."

We all know that motions to instruct are not technically binding, but I would like to yield to the chairman of the committee to ask him if he will commit verbally on the floor that he will not bring back a conference report that will result in increased deficits by reasons of additional tax benefits not offset by other provisions.

Mr. THOMAS. Mr. Speaker, I told the gentleman from the initial introduction, and I am pleased to respond on his time, that three of the four seem to be somewhat reasonable; and my assumption is that as we go to conference, since it is the Senate that has been significantly concerned about the question of offsets, under the budget which was agreed upon by the House and the Senate, there is ample provision for us to move tax bills that are not required to be offset.

Mr. LEVIN. So is the answer, if I could then ask the gentleman, since it is my time, is the gentleman willing to say here on the floor that he will not bring back a conference report that would result in increased deficits by reason of additional tax benefits not offset by other provisions?

Mr. THOMAS. Mr. Speaker, if the gentleman will yield, under the budget agreement, the House is entitled to move tax bills that are not offset or are required to modify the deficit. If the Senate brings, if the Senate brings offsets to the conference to cover the House bill, I am more than willing to look at them.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEVIN. He is unwilling to answer, then.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Well, just a minute. If the gentleman from Michigan (Mr. LEVIN) needs 30 seconds in order to get a response to his question, notwithstanding the fact that the majority is not using their time, I will be glad to do it.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) is recognized for 30 seconds.

Mr. LEVIN. Mr. Speaker, I will wait for the gentleman from California (Mr. THOMAS) to say yes or no.

Mr. THOMAS. The answer is, if the Senate brings offsets, I will be happy to look at them.

Mr. LEVIN. No, but does the gentleman agree that he will not report back a conference report that will result in increased deficits by reason of additional tax benefits not offset by other provisions? Yes or no.

Mr. THOMAS. Mr. Speaker, if the gentleman will yield, I asked of the Speaker a parliamentary inquiry which said this is not binding, yet the gentleman continues to pursue a yes or no as to whether or not an unbinding statement will bind me. The answer is, and it will be, if the Senate brings offsets, we will look at them.

Mr. LEVIN. Mr. Speaker, the gentleman is making a mockery out of this procedure.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA), a member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, for my colleagues and the American public that perhaps have not quite figured out what is going on here when we are trying to help working families through a child tax credit, H.R. 1308, I believe, boils down to two things, and probably the best way to describe it is to remind folks about the very common joke we hear about how many people does it take to screw in a light bulb, except in this case, we have to ask how many people and how much money does it take to correct the \$3.5 billion omission for working families through a child tax credit. The punch line, as funny as it may sound, is \$80 billion, is what we are being told by our colleagues and friends on the other side of the aisle that it takes to correct the \$3.5 billion omission: \$80 billion.

And if it is not a joke, then it is either a very smart, some might say sneaky, others might say sinister, ploy, to try to sneak in all of these other tax cuts for very wealthy American families into what is a good package for working families, and a lot of our men and women who work in uniform who were left out by this House in the tax cuts under the child tax credit.

It has got to be one of the two. Either it is a real joke on the American people, or it is a very cleverly planned, intentional way of sneaking through \$76.5 billion of additional tax cuts that have nothing to do with the working families that we are trying to help.

Now, it would not be so sinister or such a joke if it were not for the fact that our Federal Government is running a \$400 billion deficit this year; and next year, we are being told by the White House and by our own congressional budget estimators that we will probably have about a \$500 billion deficit next year. And yet, somehow our colleagues on the other side of the aisle believe we can spend an additional \$6.5 billion to correct the problem that costs \$3.5 billion.

I think it is clear what is going on, and I would urge my colleagues to support this motion to instruct.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), a member of the Committee on Ways and Means.

Mr. DOGGETT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, perhaps President Bush is wrong about this bill. Perhaps the 94 Members of the Senate who voted on this child tax credit measure are wrong, and perhaps all of the Democrats who have supported relief now, not some day, with reference to the child tax credit are also wrong, that all of us who together have supported meaningful relief that is paid for, that does not add a death tax to future generations of Americans, perhaps all of us are out of line and the gentleman from Texas (Mr. DELAY), standing there along with his minions who insist on having an approach that is different than that and killing this child tax credit, perhaps they are right.

But I rather expect they are not just right, but far right, extremists and outside of the mainstream of American thinking; that those who work very hard, be they police officers, be they teachers' aids, be they home health care workers, be they the people that empty the bedpans in the nursing homes and do the hard work in our society, that they deserve a chance too. I believe that it is today, with the obedience to the gentleman from Texas (Mr. DELAY) and his thinking out of the mainstream, that our Republican colleagues have sentenced this child tax credit to death, death by conference committee.

□ 1800

Many Members will remember that death by conference committee was the appropriate execution method used to kill the Patients' Bill of Rights, so people in this country still do not have the rights they need to protect themselves from the giant insurance HMOs that often deny them the health care they need.

Today, by sending this bill to conference, this is an attempt to kill a proposal that the gentleman from Texas (Mr. DELAY) never wanted this House to consider, and today again rejects.

It means for people in Texas almost 1 in 4 families will not get the child tax credit relief that they deserve. It

means 1.3 million, 1,312,000 children, will not have tax relief that they deserve; they will instead be saddled with a giant debt tax as a result of the approach that is being proposed.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. McDERMOTT), a member of the Committee on Ways and Means.

(Mr. McDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, there seems to be some confusion here in the rubber-stamp Congress today.

I will quote from an article in Roll Call this morning which explains to me what happened.

It says that the President invited them all down to the White House, and this is from a senior Republican aide: "Most people in the GOP leadership think it is inappropriate for the White House to bring our bosses down there to discuss congressional business and then not invite any staff to go with them." The aide said, "Members who attend meetings are frustrated by the exclusion of the staff because it leaves them without aides to jog their memories of the sessions later."

Now it is clear what has happened. The President said pass the Senate bill. The gentleman from Texas (Mr. DELAY) had on his mind that he had to find all these legislators in Texas, so he had to call up the home security board and he had to call up the FBI, and he got confused and got down in there and told the chairman of the Committee on Ways and Means, Do anything you want.

Now, here we are coming out here with no debate, and nobody wants to have anybody talk about what the issues here are. They just want to slam another \$80 million on this bill, and wind up with what? A dead bill. They know the Senate is going to kill it. They are not as wild and radical as they are. With 74 to 2, this is a conservative Senate; or 94 to 2. I get carried away.

This rubber-stamp Congress is really out of control. They are the gang that cannot shoot straight. They should at least have one meeting on this.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McDERMOTT. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Perhaps if the White House has a shortage of space, it might help if they invite the Members without staff and next week they invite the staff without the Members, and we might function better.

Mr. McDERMOTT. I think that is a good idea.

Mr. Speaker, I include for the RECORD the article from Roll Call this morning to which I referred earlier.

The article referred to is as follows:

[From Roll Call, June 12, 2003]

HILL AIDES SPURNED

(By Ethan Wallison)

Republican aides on Capitol Hill are incensed over a new White House policy to exclude virtually all Congressional staff from

the semi-regular "bi-cam" meetings between President Bush and the GOP leadership.

The aides contend that they are being kept out of the meetings even as White House staffers and other senior officials, such as top Congressional lobbyist David Hobbs, continue to sit in.

"It does strike one as a little bit arrogant," one senior Senate GOP aide said. But, the aide added, "I think that's the way some people at the White House think about Congressional staff."

Noting that the meetings focus on the Congressional agenda, one senior House Republican aide added, "Most people [in the GOP leadership] think it's inappropriate for [the White House] to bring our bosses down there to discuss Congressional business and then not invite any staff to go with them."

The aide said Members who attend the meetings are as frustrated by the exclusions as the staff, because it leaves them without aides to help jog their account of the sessions later.

A White House official denied that there are any "hard and fast rules" about whether Congressional staff can attend the meetings.

"It comes down to the space that's available in the room and the topics that are being covered," the official said, adding that the same factors apply to White House staff.

But Congressional sources said they have been told that the staff directive comes straight from the top and President Bush, who simply wanted less staff in the meetings.

Under the new guidelines, according to these sources, Speaker Dennis Hastert's (R-Ill.) top aide, Scott Palmer, and Lee Rawls, Senate Majority Leader Bill Frist's chief of staff, will be permitted to attend the bi-cam sessions.

The new policy appears to be the upshot of a months-long give-and-take between the White House and the Congressional GOP leadership on the staff issue. Senior Congressional aides said the White House has been seeking ways to pare down the number of aides at the bi-cam meetings, but were finding it difficult to exclude some Capitol Hill staff while allowing others to continue to attend.

"The figured they couldn't get away with the half-way approach, so they went all-or-nothing," one senior House GOP aide said.

The same aide said the White House has pledged to pare down the number of administration officials and staff at the meetings as well in the weeks ahead. Congressional aides remain skeptical.

One source noted that even Rawls was among the Capitol Hill aides who were kept out of the room Tuesday evening, when the GOP leadership went to the White House to discuss appropriations. (The spending meeting immediately preceded the bi-cam session.)

Rawls made the trip to the White House along with Senate Appropriations Committee Staff Director Jim Morhard and Kevin Fromer, Hastert's policy director.

All three were forced to wait outside the door to the meeting, even though Hobbs and Candida Wolff, Vice President Cheney's legislative affairs director, were allowed to participate.

Neither Rawls nor Palmer responded to phone calls on Wednesday.

To be sure, frustrated Congressional aides acknowledge that the personnel who are allowed into meetings at the White House reflects Bush's sense of what's appropriate.

Some of the meetings in the past have taken place in the White House residence, a more intimate setting that provides less space for visitors, according to a White House official.

But the exclusions have nevertheless fed resentments on Capitol Hill about what some

Congressional Republicans believe to be the White House's disregard for Congress' role in shaping the overall agenda.

"It's particularly unhelpful in the same week that [the White House] cut our legs out from under us on the child tax credit," one senior House GOP aide said.

And some senior GOP aides contend that the shortage of first-hand accounts has at times had significant practical consequences, such as misunderstandings about deals and other arrangements that were sealed behind closed doors.

"When it comes down to implementing an agreement, it's the staff that has to do that," a senior Senate aide said, citing the appropriations process as one area where such miscommunication has been a problem. "It's just frustrating."

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. TANNER), a member of the Committee on Ways and Means.

Mr. TANNER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I know I sound like Johnny one-note when I get up here talking about the debt and the deficit on everything that seems to come along. But I want to tell the Members this is serious business, what is happening. If Members want to talk about spending, we and this Congress are spending more money now than any Congress in the history of this country. We are spending it every year, beginning next year and into perpetuity, on interest.

The difference between the bill the chairman has and what we tried to do to fix the problem like the Senate did in spending is \$3.39 billion additional in spending, because that is what the interest over 10 years is on \$80-something billion that is not paid for.

Now, anybody who wants to get into an argument about spending, we are spending ourselves into oblivion. CBO just came out and said that the deficit this year will be \$400 billion. They raised it \$100 billion in a month. So \$400 billion at 4 percent is an additional \$16 billion next year just to pay the interest on the operation of this government that has lasted over 200 years.

They sit here and they talk about spending. We are spending this country silly, and they are doing it by borrowing money that we have to pay interest on every year from now on.

Last year we paid or accrued \$336 billion in interest, for which nobody gets a job, nobody gets an aircraft carrier, nobody gets health care, nobody gets an education. It is gone. It is payment on past consumption that we either did not have the courage to ask people to pay for, or we did not have the guts to cut the programs that need cutting.

Members want to talk about spending; let us talk about it. Here is \$30 billion right now that we can save if Members want to accept what we have done with the motion to recommit.

Mr. RANGEL. Mr. Speaker, I yield 2½ minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking member of the Committee on the Budget.

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, let me explain to the House how under this Republican bill that we have just passed, compared to the Senate bill, taxes can be raised or child tax credits can be denied to many of our service men and women serving in places like Iraq and Iran and Afghanistan.

Let us take for example an E-6, a staff sergeant with two children who makes \$29,000. His family will qualify for the full child tax credit, get this, so long as he stays stateside, in the United States. His pay is \$29,000. He has to make more than \$10,500 to qualify. Subtract the 105 from the 29, you get 18.5; multiply it by 15, he is fully qualified for two child tax credits at \$1,000 apiece.

Now let us assume that he is assigned to Iraq, Afghanistan, or a combat zone. His pay while he is in a combat zone is tax-exempt. Let us assume he stays there 8 months. That is two-thirds of the year. Two-thirds of his income is therefore tax-exempt. It is not considered to be taxable income. His taxable income, therefore, is about \$9,700, less than the \$10,500 threshold. As a consequence, for serving in Iraq, serving in Afghanistan, he loses the two child tax credits.

Is this necessary? Absolutely not. The Senate bill avoided this problem. The language was there in the Senate bill. For some reason that has yet to be explained to these service members, much less the whole House. We do not know why it was dropped; we just know it was dropped.

As a consequence, an E-6, an average serviceman or woman serving in a combat zone, will be denied the benefit of these child tax credits that we are giving other people. Perversely, the longer he stays in the combat zone, the less his entitlement to these two child tax credits. That is absolutely outrageous. We should never have passed this bill; but having passed it, we certainly should pass the motion to instruct.

Maybe Members can say the reason we did that is we had to trim back this child tax credit so we could fit it into the overall bill. But this chart right here shows down in the little blue corner how much of the total cost of this bill is committed or required for the refundability of the child tax credit to apply to families making less than \$26,000. There it is right there, \$3 billion 48 million.

This represents the additional cost of the bill, all the other provisions that were extraneous, and this is the additional interest. It did not have to be done. There was plenty of room. Will somebody please tell us why we are treating our service members in this manner?

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATSON), the distinguished former Ambassador.

Ms. WATSON. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, just a few minutes ago we had the pleasure and the honor of

hosting Specialist POW Shoshana Johnson. Shoshana Johnson was the young woman who we saw worldwide taken captive by the Iraqi military. She served well. She endured, shot through both of her ankles. Once she was freed, they took care of her and flew her home. She has been in the States a few weeks, and agreed to come here so we could pay the most deserving tribute to her.

I want Members to know she has a 2-year-old child. She is a specialist. She will make less than \$18,000 this year. She will be denied the child tax credit under the bill that just passed.

These young people who were willing not only to serve their country, but to give their lives and their limbs. I want Members to know she was up there in Rayburn with a cast on her left leg. She was brought in with a wheelchair. She is proud, and did not even realize what she did for her country.

But, Mr. Speaker, if we do not take care of the Shoshana Johnsons and take care of the very wealthy, we are abdicating our values under a democracy. I ask Members to please let us accept the Senate proposal for the child tax credit.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I intend to close the debate on this issue, hoping that perhaps the conferees would have an opportunity to review what has been done by the Senate and what has been done by the House, and to recognize this all started with us trying to help 6.5 million families and 12 million kids.

Why this was dropped by the majority, this provision that was in the Senate bill, I do not know. Why it was so vigorously resisted by the Republican leadership I do not know. Why they continuously referred to giving assistance to hardworking people throughout the United States and our military people as being welfare, I do not know.

Why they do not understand that a stronger America, a productive America, an increase in the purchasing power not just for those who clip coupons but for those who work every day, that have to buy clothes for their kids and pay for prescription drugs and pay rent, these are the things that really spur the economy.

It would just seem to me that somewhere we could find some type of compassion, to say we made a mistake, we left it out. And even for political reasons to be able to say, since the Senate has reached some type of bipartisan agreement, we looked it over, the President wants us to get relief out there as fast as we can; it is \$6.5 billion more than we expected, but we will accept it.

What went into the thinking when people said, this is not going to happen? There are a lot of other things that are more important than that. The President can suggest, but he cannot vote. Then all of a sudden someone said, oh, no, we have to find some way politically that we can vote for it but

make certain that it never sees the light of day. What can we possibly do to get a positive vote on this but to make certain that the Senate cannot accept it?

I was not privy to what happened, but one thing is clear: That other body knocked down the President's request from a tax cut for \$726 billion. When they got finished with that, they knocked down the House tax cut from \$550 billion to \$350 billion. So it appears as though the Senate is very, very concerned about the size of the deficit.

Now, I know that that does not concern us in the House. I am glad to see the distinguished chairman of the Committee on the Budget that is here, because God knows he picked the wrong time to head the Committee on the Budget. They just threw that away. But things change, and maybe we will see better days.

But if they really wanted to find out what is it that they could do to politically irritate the Senate and to have them reverse themselves on the child credit, some demon could have whispered in their ear, Why don't you increase the deficit more? And they would say, yes, why not double it?

So we would come out in the House with a \$20 billion, go to conference and adjust it, and it will be \$15 billion. But then they said, but if you do that, you still would have a child credit bill. We want to make certain that when the majority leader says that it is not going to happen, it is not going to happen.

So then they said, Why not increase it to \$30 billion, \$40 billion, \$50 billion, \$80 billion? Bingo. The House will accede to the President's request and consider the legislation for giving child tax credits to working people by increasing the deficit by \$82 billion. See how they like that.

□ 1815

See how the bleeding hearts like that? You really want to help the working families?

Well, this is what the deal is: We will give the working families a break today, but when it comes time to pay down the deficit, those kids are going to pay and they are going to pay big time. That is the decision that you are leaving to the Senate. It is shameful because I do not doubt the dedication of members of the other party. You just have a different way of looking at government. You really believe that government should be so small that we will reduce the revenue so low that we will starve each and every program that we believe in.

Some of those programs will not go away by legislation. You cannot kill Social Security by privatization. You cannot kill Medicare by vouchers. You cannot kill Medicaid by block grant. But there is one thing, whether you are a bleeding heart, a liberal, a Democrat or a moderate Republican, if the money is not there, then the leader is right, it is not going to happen. And let me tell

you, every bit of taxes that we reduce here, that tax comes up somewhere. It comes up when Governors try to say, well, maybe we can fill up the gap, but politically they cannot. They have a limit on how much taxes they can raise, how much money they can borrow. And then it gets down to the cities, and, God knows, I know it. We got a good mayor, trying to do all of the things that the Congress has said in terms of homeland security, but we are closing fire departments, we are closing clinics, we are closing libraries. And while you are cutting taxes here, guess what we are doing in the great city of New York with the working people?

They are not getting welfare. They are working every day. They have got kids, but they are paying more for buses, for subways, for buying food and clothing, for day care, everything. They are paying more, including paying for Social Security and Medicare expenses.

So I know a lot of you think that these working people that we are trying to protect are welfare recipients. You do not pay taxes, you do not get tax relief. Well, they deserve some relief. They are entitled when we are giving the people back, those who pay taxes, God knows who makes America great, except those people who work every day, hoping that life will get better for them and a lot better for their kids.

And so if you want to say that that is not the Congress' responsibility, leave it to the United Jewish Appeal, leave it to Catholic Charities, leave it to the Protestants Council, but leave us out as the Federal Government. Let local and State government do it.

If you believe that, then what you do is starve the great reserves of this country. And if you cannot kill the programs legislatively, you kill them by not having the money there. So what you are saying is that one day when you accomplish your purpose, we will be paying more in interest on the trillions of dollars that we have borrowed than we will be able to pay for the programs that America has been so proud of.

Mr. Speaker, I yield back the balance of my time.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from California said, "This really has nothing to do with working families."

I will tell the gentleman, it has everything to do with working families. The provision that was offered and accepted on the Senate side, which was included in the Senate bill, was not supported by the authors of that amendment. This measure was never presented to, asked for, or included in the Senate provisions. We are now at a position of examining the Senate's behavior.

The movement for the refundable tax credit from 10 percent to 15 percent is in underlying law. It will occur January 1, 2005. The entire debate is over

whether or not it ought to be accelerated. But what also ends on January 1, 2005 is the \$1,000 child credit, because the Senate decided it was more important to create the opportunity so that between now and the elections of 2004, someone can show their compassion for working families. The \$57 billion of this proposal says, after the election, will you show your compassion for working families in the year 2005, 2006, 2007, 2008, 2009 and 2010, which just happens to correspond to the 6-year term of the Senate.

We thought it might be appropriate if there is compassion between now and November that the people are going to vote. No compassion will be there for the next 6 years as well. I believe one move was politics, the other is policy.

Let us talk about working families. In New York City, a fireman who responded on 9/11 and his wife, a teacher, make about \$150,000 together. The Senate in its wisdom said we ought to raise the child credit from \$110,000 to \$150,000. And if you read the fine print of the Senate proposal, they are going to do that for 1 year, in 2010. Is that politics or policy? The \$21 billion of this measure says if it is good enough for the \$150,000-a-year joint working family in 2010, it is good enough for the working family today, next year, and every year until 2010.

Do you want politics or do you want policy? Politics is cheap. Policy costs money. We are asking you to put your dollars where your mouth is.

July 9, 2002, as a matter of urgency we sent to the Senate a military tax fairness bill that would provide appropriate changes in the laws for our men and women in uniform. Underscore that: July 9, 2002.

It still languishes over in the Senate. If they really cared about the men and women in uniform, we would have seen that bill-signing ceremony already. We are including that provision in this bill and asking the Senate once again to put policy where their mouth is. If the Senate has provisions in their measure that they want to bring to conference that we did not include, we invite them. But we invited them to a conference that does policy and not politics.

Mr. STARK. Mr. Speaker, I rise today in opposition to H.R. 1308, the House Republicans' phony attempt to fix the problem they created when they dumped low-income families from eligibility for the increased child tax credit passed as part of the President's latest tax cut package.

The Senate has already passed a bill to fix the problem with nearly unanimous support. But, House Republicans refuse to bring forth that bill. Instead, they've written an \$82 billion bill with numerous tax breaks unrelated to the child tax credit for low income working families—and none of those \$82 billion are paid for. It will increase our ballooning deficit even more.

This bill is nothing more than a way for the House Republicans' to look like they're trying to address the needs of working families. In fact, their goal is to sabotage this issue so

they can hide the fact that they excluded low-income families from the child tax credit in the first place. They don't care at all if these families ever qualify for tax credit.

The House Republicans have brought this Trojan horse to the floor in order to pass further tax relief to upper-income families while betting that the Senate won't touch such an expensive bill with a ten-foot pole.

The House Republicans believe that they will then be able to blame defeat of the bill on the Senate, when in fact they are the ones to blame! The Senate bill has already overwhelmingly passed the Senate on a bipartisan basis. The bill is paid for, unlike the House version. And most important, the President has already signed-off on the Senate-passed bill.

These families work hard and contribute their fair share through payroll taxes and sales taxes. There is no question that they also deserve their fair share of tax relief, especially when the child tax credit has been increased by \$400 for parents just one rung higher on the income ladder. They can use this tax credit to help pay for their children's needs—like food, clothing, medical care, and childcare.

I applaud Senate Republicans for heeding the call of Democrats and reversing course to pass a bill reinstating the child tax credit for these low-income working families. While it doesn't go far enough, it is a step in the right direction. Now it is time for House Republicans to do the same. It is the right and fair thing to do for America's families.

I urge my colleagues to support the Democratic motion to instruct conferees on H.R. 1308 so that the conference will agree to the Senate child tax credit bill. That's the only way these low-income families are going to get the tax credit. These are the families that need those few extra dollars the most. Vote for the motion to instruct.

Mr. KLECZKA. Mr. Speaker, last week the Senate passed legislation to restore to children of low-income working families the tax relief that was—at the last minute—removed from the tax cut signed into law last month. This new Senate bill's cost of 9.7 billion dollars is fully offset and is waiting at the desk right here, right now for our action. We could pass the bill today and send it to the President for his signature tomorrow.

However, my House Republican colleagues couldn't resist taking this important non-controversial bill—which passed the other body by a vote of 94–2—and weighing it down with more deficit growing tax cuts. The package before us today is almost 9 times larger than the Senate bill and every nickel of its 82 billion dollar price tag will be put onto our National Debt and repaid by our children and grandchildren.

The Congressional Budget Office reported earlier this week that the tax cut signed into law last month, coupled with increasing defense spending, will send the federal budget deficit above \$400 billion this year. If House Republicans were serious about giving child tax credit relief they would have paid for their bill. And, knowing that the Senate is fiscally responsible—they know this product won't pass.

This is a cute way to appear to be for “something” while knowingly killing it. Let's be honest—most poor working folks don't vote for your guys so you're punishing their children today. Shame on you.

I urge my colleagues to reject this bill and to send a message to the 94 members of the other body that we are with them.

Mr. THOMAS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SWEENEY). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. RANGEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 205, nays 201, not voting 29, as follows:

[Roll No. 275]

YEAS—205

Alexander	Farr	McCarthy (MO)
Allen	Fattah	McCarthy (NY)
Andrews	Filner	McCollum
Baca	Frank (MA)	McDermott
Baird	Frost	McGovern
Baldwin	Gillmor	McHugh
Ballance	Gonzalez	McIntyre
Bass	Gordon	McNulty
Becerra	Green (TX)	Meehan
Bell	Grijalva	Meek (FL)
Bereuter	Gutierrez	Meeks (NY)
Berkley	Hall	Menendez
Berry	Harman	Michaud
Bishop (GA)	Hastings (FL)	Millender-
Bishop (NY)	Hill	McDonald
Boehrlert	Hinchey	Miller (NC)
Boswell	Hinojosa	Miller, George
Boucher	Hoeffel	Mollohan
Boyd	Holden	Moore
Brady (PA)	Holt	Murtha
Brown (OH)	Honda	Nadler
Brown, Corrine	Hookey (OR)	Napolitano
Burr	Hoyer	Neal (MA)
Capito	Inslee	Oberstar
Capps	Israel	Obey
Capuano	Jackson (IL)	Olver
Cardin	Jackson-Lee	Ortiz
Cardoza	(TX)	Owens
Carson (IN)	Jefferson	Pallone
Carson (OK)	John	Pascarella
Case	Johnson (IL)	Pastor
Castle	Johnson, E. B.	Payne
Clay	Jones (OH)	Pelosi
Clyburn	Kanjorski	Peterson (MN)
Conyers	Kennedy (RI)	Pomeroy
Cooper	Kildee	Price (NC)
Costello	Kilpatrick	Rahall
Cramer	Kind	Rangel
Crowley	Klecza	Reyes
Cummings	Kucinich	Rodriguez
Davis (AL)	Lampson	Ross
Davis (CA)	Langevin	Rothman
Davis (IL)	Lantos	Roybal-Allard
Davis (TN)	Larsen (WA)	Ruppersberger
DeFazio	Larson (CT)	Rush
DeGette	Leach	Ryan (OH)
DeLauro	Lee	Sabo
Deutsch	Levin	Sanchez, Linda
Dicks	Lewis (GA)	T.
Dingell	Lofgren	Sanchez, Loretta
Doggett	Lowey	Sanders
Dooley (CA)	Lucas (KY)	Sandlin
Doyle	Lynch	Schakowsky
Edwards	Majette	Schiff
Emanuel	Maloney	Scott (GA)
Engel	Markey	Scott (VA)
Etheridge	Marshall	Serrano
Evans	Matheson	Sherman
	Matsui	Skelton

Slaughter	Taylor (MS)	Visclosky
Smith (MI)	Thompson (CA)	Waters
Snyder	Thompson (MS)	Watson
Solis	Tierney	Watt
Spratt	Towns	Weiner
Stark	Turner (TX)	Wexler
Stenholm	Udall (CO)	Woolsey
Strickland	Udall (NM)	Wu
Stupak	Upton	Wynn
Tanner	Van Hollen	
Tauscher	Velazquez	

NAYS—201

Aderholt	Gingrey	Otter
Akin	Goode	Oxley
Bachus	Goodlatte	Pearce
Baker	Goss	Pence
Ballenger	Granger	Peterson (PA)
Barrett (SC)	Graves	Petri
Bartlett (MD)	Green (WI)	Pitts
Barton (TX)	Greenwood	Platts
Beauprez	Gutknecht	Pombo
Biggett	Harris	Porter
Bilirakis	Hart	Portman
Bishop (UT)	Hastert	Pryce (OH)
Blackburn	Hastings (WA)	Putnam
Blunt	Hayes	Quinn
Boehner	Hayworth	Radanovich
Bonilla	Hefley	Ramstad
Bonner	Hensarling	Regula
Bono	Herger	Rehberg
Boozman	Hobson	Renzi
Bradley (NH)	Hoekstra	Reynolds
Brady (TX)	Hostettler	Rogers (AL)
Brown (SC)	Houghton	Rogers (KY)
Brown-Waite,	Hulshof	Rogers (MI)
Ginny	Hunter	Rohrabacher
Burgess	Hyde	Ros-Lehtinen
Burns	Isakson	Ryan (WI)
Buyer	Issa	Ryun (KS)
Calvert	Istook	Saxton
Camp	Johnson, Sam	Schrock
Cantor	Jones (NC)	Sensenbrenner
Carter	Kaptur	Shadegg
Chabot	Keller	Shaw
Chocola	Kelly	Shays
Coble	Kennedy (MN)	Sherwood
Cole	King (IA)	Shinkus
Collins	King (NY)	Shuster
Cox	Kingston	Simmons
Crane	Kirk	Simpson
Crenshaw	Kline	Smith (NJ)
Culberson	Knollenberg	Smith (TX)
Cunningham	Kolbe	Souder
Davis, Jo Ann	LaHood	Stearns
Davis, Tom	Latham	Sullivan
Deal (GA)	LaTourette	Sweeney
DeLay	Lewis (CA)	Tauzin
DeMint	Lewis (KY)	Terry
Diaz-Balart, L.	LoBiondo	Thomas
Diaz-Balart, M.	Lucas (OK)	Thornberry
Doolittle	Manzullo	Tiahrt
Dreier	McCotter	Tiberi
Duncan	McCrery	Toomey
Dunn	McKeon	Turner (OH)
Ehlers	Mica	Vitter
Emerson	Miller (FL)	Walden (OR)
English	Miller (MI)	Walsh
Everett	Moran (KS)	Wamp
Feeney	Murphy	Weldon (FL)
Ferguson	Musgrave	Weldon (PA)
Flake	Myrick	Weller
Fletcher	Nethercutt	Whitfield
Foley	Neugebauer	Wicker
Forbes	Ney	Wilson (NM)
Franks (AZ)	Northup	Wilson (SC)
Frelinghuysen	Norwood	Wolf
Garrett (NJ)	Nunes	Young (AK)
Gerlach	Nussle	Young (FL)
Gibbons	Osborne	
Gilchrest	Ose	

NOT VOTING—29

Abercrombie	Fossella	Moran (VA)
Ackerman	Gallegly	Paul
Berman	Gephardt	Pickering
Blumenauer	Janklow	Royce
Burton (IN)	Jenkins	Sessions
Cannon	Johnson (CT)	Smith (WA)
Cubin	Linder	Tancredo
Davis (FL)	Lipinski	Taylor (NC)
Eshoo	McInnis	Waxman
Ford	Miller, Gary	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1840

Mr. WHITFIELD and Mr. HERGER changed their vote from "yea" to "nay."

Mr. GUTIERREZ changed his vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MORAN of Virginia. Mr. Speaker, on rollcall No. 275, I was unavoidably detained in traffic due to the thunderstorm in Northern Virginia. Had I been present, I would have voted "yea."

Ms. KAPTUR. Mr. Speaker, on rollcall vote 275, the motion to instruct, I would like the RECORD to show that I intended to vote "yea" and inadvertently voted "no."

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. THOMAS, DELAY, and RANGEL.

There was no objection.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 54. Concurrent resolution commending Medgar Wiley Evers and his widow, Myrlie Evers-Williams for their lives and accomplishments, designating a Medgar Evers National Week of Remembrance, and for other purposes.

The message also announced that pursuant to sections 276h-276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the Mexico-United States Inter-parliamentary Group during the First Session of the One Hundred Eighth Congress—

the Senator from Tennessee (Mr. FRIST);

the Senator from Tennessee (Mr. AL-EXANDER); and

the Senator from Texas (Mr. CORNYN).

ORBIT TECHNICAL CORRECTIONS
ACT OF 2003

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be discharged from further consideration of the bill (H.R. 2312) to amend the Communications Satellite of 1962 to provide for the orderly dilution of the

ownership interest in Inmarsat by former signatories to the Inmarsat Operating Agreement, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

H.R. 2312

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "ORBIT Technical Corrections Act of 2003".

SEC. 2. INITIAL PUBLIC OFFERING DEADLINES.

Clause (ii) of section 621(5)(A) of the Communications Satellite Act of 1962 (47 U.S.C. 763(5)(A)) is amended—

(1) by striking "December 31, 2002" and inserting "June 30, 2004"; and

(2) by striking "June 30, 2003" and inserting "December 31, 2004".

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 2312, a bill to extend the deadline for Inmarsat to conduct the initial public offering required of it by the ORBIT Act.

The ORBIT Act was adopted in March of 2000 to promote a competitive market for satellite communications through privatization of inter-governmental organizations, one of which is Inmarsat. To further the twin goals of the privatization and independence of satellite carriers, the ORBIT Act called on Inmarsat to conduct an initial public offering (IPO) by December 31, 2001. As that December 2001 deadline approached, however, it became clear, given market conditions at the time, that it would be punitive to effectively force Inmarsat to conduct its IPO by the specified date. As a result, Congress passed legislation to provide an additional year to conduct the IPO, and also provided the FCC the ability to grant a six-month extension if warranted by market conditions.

Unfortunately, the market conditions have not improved to a point where it would be reasonable to require the IPO, and the current deadline—June 30, 2003—is now less than a month away. H.R. 2312, the ORBIT Technical Corrections Act, would not require Inmarsat to conduct its IPO until June 30, 2004, and it permits the FCC to grant an additional six months delay should market conditions continue to warrant such regulatory action. This legislation is clearly necessary at this time, lest the government would unfairly require one company and its investors to risk capital by offering shares to the public at a time when such shares are likely to be undervalued—perhaps grossly undervalued.

The Committee on Energy and Commerce continues to take an interest in the state of competition in the industry and the financial health of those who invest capital to build networks and offer satellite communications services. But as we proceed to grant one carrier additional time with which to conduct its IPO, I would observe that another provider—New Skies Satellites—long ago fulfilled the ORBIT Act's IPO and substantial dilution requirements. Since that time, it has diluted its original shareholder base yet again with a 10 percent share buyback. And New Skies is competing for satellite business independently, with strong independent management, precisely as congress envisioned in ORBIT. As